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TRANSCRIPT OF

TOWN OF EASTCHESTER PLANNING BOARD MEETING

APRIL 25, 2019

HELD AT: Eastchester Town Hall
40 Mill Road
Eastchester, New York 10709
7:00 p.m.

BOARD MEMBERS IN ATTENDANCE:

CHAIRMAN JAMES BONANNO
ROBERT PULASKI, MEMBER
PHILIP NEMECEK, MEMBER
BILL WEST, MEMBER

EASTCHESTER EMPLOYEES IN ATTENDANCE:

MARGARET UHLE, DIRECTOR OF PLANNING
ROBERT TUDISCO, DEPUTY TOWN ATTORNEY
JAY KING, BUILDING INSPECTOR

Dina M. Morgan, Reporter
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California Road, and Main Street is a preliminary hearing. It took me long to say all that, it's pretty obvious we have a lot going on tonight, so with all due respect, if I could ask the applicants to keep their presentations, concise, accurate but still clear, we up here promise to do the same with our comments.

The first application, I think it's the first time we've seen this here, is Application 18-36, Holy Mount Cemetery.

MR. NEMECEK: It's not the first time we've seen this.

THE CHAIRMAN: I'm sorry.

MS. UHLE: It was not a public hearing previously, but they appeared before you for preliminary review.

MR. LAZARCHECK: I'm Joe Lazarcheck from JPL Architects. I'm the architect on the project. I'll just try to bring you up to speed. Let me just --

THE CHAIRMAN: Please do.

MR. PULASKI: You could pull that microphone out and carry it with you if you

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THE CHAIRMAN: This is the Town of Eastchester Planning Board meeting of April 25th, 2019. If everyone would rise for the Pledge of Allegiance, please.

(Whereupon the Pledge of Allegiance was said.)

THE CHAIRMAN: I'm just going to do the attendance. Mr. Phil Nemecek.

MR. NEMECEK: Present.

THE CHAIRMAN: Robert Pulaski.

MR. PULASKI: Present.

THE CHAIRMAN: Jim Bonanno is here. Bill West.

MR. WEST: Present.

THE CHAIRMAN: Mark Cunningham will not be here tonight.

I'm just going to run through the applications on the agenda tonight so everyone knows and the order.

The first one is Holy Mount Cemetery, the second is Burrata, the third is Water Street subdivision, the next is 760 White Plains Road, the next is York Place, fold by Interlaken, 22 Hunter, and then we've

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want to be closer to the easel.

MR. LAZARCHECK: We were before the board earlier, and then we were referred to the ZBA. We received our ZBA approval and also Architectural Review Board approval.

Basically, this is for Holy Mount Cemetery. There's an existing building and the footprint is here. We propose to do an indoor and outdoor columbarium. Basically, this was the existing building. We went out in this direction and this direction to house the outdoor columbarium, which is niches that are built against the stone wall, and this an indoor columbarium, again, which is niches inside the location of the existing building.

When we came before you last, this was a concept of a building, the same concept as this project, which is another church that was in upstate New York. If you could see here, this is the outdoor columbarium, which is a wall basically consisting of 4 foot 10. The niches were inside. The exterior of the wall, which is similar to this project, would be a stone veneer, which would be to the outside.

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2 Everything is kept internal. As you can see in

3 this picture, the landscaping that we propose

4 to do in this particular project is similar to

5 the landscaping that we do along the base of

6 the wall, and then we use trees and other items

7 depending on the specific location of the

8 project and what we have to do in terms of

9 screening. Here's another example of the wall

10 that we're proposing. Again, it's an exterior

11 stone wall 4 foot 10, and then inside are all

12 the niches. From the outside, it's basically a

13 stone wall that's anywhere from 4 foot 10,

14 4 feet, 3 foot 6 depending on the grade on the

15 outside.

16 Going back to the plan, I'll relate

17 this to the model. This is the indoor niches

18 of the existing footprint of the existing

19 building. You could see here, this is the

20 perimeter 4 foot 10 wall that runs around the

21 proposed outdoor columbarium. Again, that wall

22 is 4 foot 10, and it's actually less on certain

23 areas from the outside because the grade -- it

24 acts as a reverse retaining wall where the

25 grade is higher on the outside than the inside.

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2 Going back to the model, what we try

3 to show here, these are the existing trees that

4 are around the property. All the ones that are

5 dabbled with the green is the proposed

6 landscaping. These are 14 foot trees that we

7 have here. There's a number of stuff that's on

8 the landscaping that shows the specific

9 species. These four pins are the only four

10 trees that we're removing from the site. The

11 landscape architect could speak to the quality

12 of those trees that we're removing.

13 That's a quick overall where we've

14 been. There's a couple of item that came up

15 along the way. When we first came before the

16 board, this was 18 inches taller than the

17 existing building. Along the way, we have

18 lowered this back down to the existing building

19 height that's there so it's no longer going

20 above that. We've added additional landscaping

21 from various comments from the neighbors as we

22 moved through the process. Actually, this

23 whole screening was added. We went back and

24 did an updated survey to locate the trees and

25 the sizes of the existing trees that are around

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2 the perimeter.

3 So if there are any questions, I have

4 the landscape architect and the civil engineer

5 is also in attendance.

6 THE CHAIRMAN: Can we just quickly let

7 the landscape architect explain what he is

8 doing there.

9 MR. LAZARCHECK: Sure. It's Rob

10 Sherwood.

11 MR. SHERWOOD: Good evening, Robert

12 Sherwood, landscape architect. So where the

13 columbarium is proposed to be and the niches,

14 we're at the top of the slope here. We're not

15 impacting the slope that's dropping down to the

16 two neighbors. What we've done with the

17 landscaping is kind of give it a residential

18 appeal and look. The deciduous trees we

19 planted are a cherry tree. On the backside of

20 the wall, I have some evergreens located to try

21 to buffer the views with some other plantings

22 at the base of the wall that would give you

23 some flower and color so it will give you some

24 appeal throughout the year. Pretty simple, but

25 yet elegant enough to give it some appeal.

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2 THE CHAIRMAN: So which on that are

3 the ones that are going to be put; all of them?

4 MR. SHERWOOD: Yes. The green ones

5 here that are located are the trees that are

6 being planted.

7 THE CHAIRMAN: Okay. They are no

8 taller than the screen, I guess, or maybe a

9 little bit taller? They appear to be a few

10 feet taller than the --

11 MR. SHERWOOD: The evergreens I

12 located are about 7 feet tall, 6 feet tall.

13 The trees being planted were specified out at 3

14 inch caliber, so you could estimate that to be

15 about 14 feet when planted, and they're going

16 to grow from there.

17 The four trees I would like to comment

18 on that are being removed are Norway Maples,

19 which are pretty much a weed tree and sporadic

20 growth. Most of the growth is high for any

21 buffering as well. So this would be lower.

22 THE CHAIRMAN: Thank you.

23 MR. NEMECEK: Can you tell me, we have

24 a report here from Kellard Sessions which is

25 the review of the site plan, and I think it

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 2 focuses on storm water management; have you had
 3 an opportunity to review the Kellard Sessions
 4 memorandum dated April 18, 2019, and if so,
 5 does that affect your planting plan at all?

6 MR. SHERWOOD: First of all, Tim Allen
 7 is here from Bibbo Associates, who is the civil
 8 engineer. We have coordinated our plans, and I
 9 did adjust some of the landscaping from the
 10 plan that you are reviewing to match his
 11 drainage plan structures. So on the plan that
 12 I show here, I did adjust some of those
 13 plantings so they could not contradict with any
 14 underground piping.

15 MR. NEMECEK: Okay. Also, have you
 16 changed your planting plan at all in response
 17 to any of the comments made by the
 18 Architectural Review Board made at the meeting
 19 earlier this month?

20 MR. SHERWOOD: We created a little bit
 21 more evergreen screening. I had to adjust the
 22 location of those in between some drainage
 23 structures. On a plan that I can present
 24 tonight, I did add a few more deciduous shrub
 25 material that will get 10 to 12 feet at

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 2 maturity to give a little bit more buffering.
 3 That is being proposed I guess on the southern
 4 end of the columbarium and niches.

5 MR. NEMECEK: Is there any adjustment
 6 being made to the grade of the slope there?

7 MR. SHERWOOD: Tim could speak on this
 8 more, but no, everything is being built on the
 9 top side. There is going to be some
 10 adjustments with the top side. There is a pipe
 11 that runs down the back side of the wall. The
 12 only impact into the slope part is for some dry
 13 wells that are being installed and then
 14 something that is called a level spreader. So
 15 if the dry wells overflow, the water gets
 16 dispersed out amongst the trench. That's in
 17 this small area here.

18 MR. NEMECEK: Okay. I certainly am
 19 going to want to hear from the civil engineer
 20 regarding the storm water management because it
 21 is an issue that was raised by I believe the
 22 adjacent neighbor, Mr. and Mrs. Leibowitz of 23
 23 Lake Shore Drive, in a letter to this Planning
 24 Board. Kellard Sessions in their April 18,
 25 2019 memorandum also had concerns with some of

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 2 the storm water management. Unless anybody
 3 else has further questions for the landscaping?

4 THE CHAIRMAN: No. Thank you.

5 MR. SHERWOOD: Thank you.

6 MR. ALLEN: Good evening. Tim Allen
 7 of Bibbo Associates representing the applicant.
 8 We are the civil engineers for the property.
 9 We are in receipt of Kellard Sessions' memo.
 10 As you can see on this plan here, the cemetery
 11 as a whole has a large drainage to a point
 12 which actually is at this corner here. We
 13 started with Kellard Sessions in this process
 14 through the ZBA process, and now we're through
 15 to their memo that you see before you today.

16 What we've done on this to start with
 17 when we first started with your board, we had
 18 drainage throughout the columbarium. It was
 19 going to be infiltrated throughout the
 20 columbarium. So all this throughout the
 21 columbarium is pervious pavers. They're
 22 proposed to be pervious. It's all been perc'd
 23 and tested. Very permeable soils in the area.
 24 In addition to that, what we had added was a
 25 row of infiltrators off the columbarium to take

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 2 that drainage from the columbarium. When we
 3 were back at this board originally, we had just
 4 the columbarium going to those infiltrators as
 5 basically a backup. What we've done in the
 6 interim, given the fact that we had some
 7 neighbors complaining of the whole hillside
 8 coming at their property, we've taken that
 9 drainage at the corner and routed that through
 10 our infiltration system.

11 I talked to Joe Cermele at Kellard
 12 Sessions this morning and went through a few
 13 scenarios. Maybe there could be another
 14 infiltrator added. It's not necessary. I
 15 think what Joe's memo basically says is that,
 16 you know, we met the code, can you do more?
 17 The question is, can we do more? Yes.
 18 Probably not necessary. The question is, it
 19 may cost another existing tree to do more
 20 outside the columbarium. So in terms of our
 21 response to Joe will be exactly the same and
 22 it's the board's preference. Nonetheless, our
 23 drainage plan meets all of your codes for site
 24 plan. Can we do more? Possibly. I just don't
 25 want to introduce -- he's recommending maybe

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 2 use more area inside the columbarium for storm
 3 water. I don't want to introduce more water
 4 into that area for obvious reasons. It's all
 5 walled in. Basically what falls on that area
 6 goes directly into the ground. I don't want to
 7 introduce more water into that area from a
 8 design standpoint. I hope that's clear.
 9 Nonetheless, we've looked at it, we
 10 talked to Joe. Basically it's the first
 11 comment on his memo that we can address very
 12 easily. He was very comfortable with it also
 13 this morning.
 14 THE CHAIRMAN: Thank you. Just to be
 15 clear to everyone, the storm water management
 16 plan you put in place collects all the water
 17 from the pervious surfaces of the proposed
 18 construction of the building; correct?
 19 MR. ALLEN: Yes, to be infiltrated
 20 throughout the project. Both on the
 21 columbarium area directly as rain falls on it,
 22 and then secondary as an infiltration system on
 23 the back.
 24 To get back to your question earlier
 25 about grading, basically the columbarium is

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 2 mostly at grade throughout this area, maybe
 3 slight grade changes throughout the wall. Just
 4 to minor grading to accommodate the
 5 infiltration system outside of the columbarium.
 6 THE CHAIRMAN: Correct. So in
 7 addition to that, I think you said there's a
 8 little bit of extra water you've sort of taken
 9 account for that flows that in that
 10 directional?
 11 MR. ALLEN: I'm sorry, sir, what?
 12 THE CHAIRMAN: In addition to the
 13 water collected for the impervious services, is
 14 your system picking up additional water?
 15 MR. ALLEN: From this corner, it's
 16 being infiltrated through this infiltration
 17 system.
 18 THE CHAIRMAN: So is the slope
 19 drainage such that the water goes to the corner
 20 you just pointed to?
 21 MR. ALLEN: Correct.
 22 THE CHAIRMAN: It is. That's an
 23 existing condition that's always been like
 24 that?
 25 MR. ALLEN: It comes to this corner,

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 2 it's now coming here.
 3 THE CHAIRMAN: Correct. But there's
 4 nothing that you've done that has caused that
 5 to happen?
 6 MR. ALLEN: We're not creating new
 7 water.
 8 THE CHAIRMAN: Right. So I'm pointing
 9 out that it's something that seemed to be a
 10 little bit of a difficulty in the past, you
 11 guys are accommodating it by putting it into
 12 your infiltration system.
 13 MR. ALLEN: Right. We're actually
 14 trying to correct some of the issues that the
 15 neighbors may have had in the past.
 16 THE CHAIRMAN: Right. That's what I'm
 17 pointing out. And you're thinking maybe
 18 looking at Joe's letter there might actually
 19 may be a little more that he's asking you to
 20 do?
 21 MR. ALLEN: I'm sorry.
 22 THE CHAIRMAN: Speaking to our
 23 consultant's memo this morning, you said that
 24 he's asked you to do more; what exactly can you
 25 do?

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 2 MR. ALLEN: Well, we were talking
 3 about maybe adding one more leg of infiltration
 4 here just to have more infiltration. Again, we
 5 meet the code of 50 year storm and all the
 6 other requirements, but that would probably
 7 require taking down another 18 inch tree on
 8 this portion, which we have no problem with,
 9 it's just a matter of -- it's a catch 22, we
 10 take down more trees. We could always expand
 11 the drainage, but it's not necessary. That's
 12 really the board's call in the fact that we
 13 meet the code.
 14 MS. UHLE: I also think that when Joe
 15 spoke to Mr. Allen this morning, as Mr. Allen
 16 has indicated, he was contemplating maybe
 17 making the retention area beneath the
 18 impervious pavers, increasing that capacity. I
 19 think he wasn't aware of the potential problems
 20 that that might cause with regard to the walls.
 21 So I think there is additional discussion to
 22 have with Joe.
 23 THE CHAIRMAN: Okay.
 24 MR. NEMECEK: I think I understand.
 25 THE CHAIRMAN: Thank you, Mr. Allen.

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2 MR. ALLEN: Thank you.

3 MR. NEMECEK: I know there's a

4 comment, again, in the Kellard Sessions' report

5 from Joe Cermele, Item 2 basically says, that

6 the plan should illustrate the location of all

7 storm system components to ensure no conflicts

8 exist. He commented that the plan proposed the

9 removal of four trees, and he just wanted to

10 make sure that the plan reflected clearly the

11 location of the storm system components. Has

12 that been done or will that be done?

13 MR. ALLEN: That will be done.

14 MR. NEMECEK: In terms of the -- I'm

15 sorry, it's Mr. Allen; is that your last name?

16 You've reviewed the balance of this report, and

17 is there anything in here that you can't

18 accommodate; other than what we discussed, you

19 know, the trade off with expanding the

20 infiltration system would be at the expense at

21 the tree, other than that piece, can you

22 accommodate the other recommendations here or

23 do you disagree with any of them?

24 MR. ALLEN: We agree with everything.

25 We're fine with it. As a matter of fact, I

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2 have a draft response ready for Joe to that

3 letter. I just didn't want to put it in front

4 of the board at the last minute.

5 MR. NEMECEK: Fair enough. We have a

6 very capable Director of Planning here in

7 Margaret, who manages to shepherd these things

8 through when we get close enough.

9 THE CHAIRMAN: Thank you. This is a

10 public hearing, so let's open the public

11 hearing. I make a motion to open the public

12 hearing on Application 18-36, Holy Mount

13 Cemetery.

14 MR. PULASKI: Second.

15 THE CHAIRMAN: All in favor.

16 (All aye.)

17 THE CHAIRMAN: Comments from the

18 public? Sure. Come on up. Please state your

19 name and address when you came up to the

20 podium.

21 MR. TUDISCO: We have someone who

22 takes down the minutes.

23 MR. JENNINGS: Gotcha. John Jennings.

24 I live right next door to this debacle, 9

25 Innisfree Place.

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2 MR. NEMECEK: Tell me how you feel

3 about it.

4 MR. JENNINGS: They're bad neighbors

5 now, I don't know how you're going to let this

6 go through. When I moved there, my house was a

7 mess, whatever, they dump all their stuff over.

8 Their fence fell down. I called the church a

9 couple of times, very, very bad response I got.

10 I went over there. They never did anything.

11 Didn't they get a grant -- what's the whole

12 point of this anyhow, like what is the point of

13 this?

14 THE CHAIRMAN: So we're not here to

15 answer that question.

16 MR. JENNINGS: Okay, so I'll move on.

17 So then if they can't maintain the property

18 they have right now, right, the fence fell

19 down, nobody did anything, so I had to go buy

20 some trees, we had the police there a few

21 times, people, you know, going back and forth,

22 they don't want to maintain the property they

23 have right now, so why are they allowed to move

24 forward? It seems like they're going to be

25 allowed to move forward. I was here last month

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2 also, it seems they're going to be allowed to

3 move forward.

4 MR. NEMECEK: Listen, we're not going

5 to remove the cemetery. You moved next to a

6 cemetery. When you bought the house, the

7 cemetery was there.

8 MR. JENNINGS: I'm not disputing that.

9 I'm disputing that we're going to add about

10 2,000 of these things there. We're going to

11 have all these people in there, all these new

12 people visiting constantly. If they can't

13 maintain what they have now, how are they going

14 to maintain --

15 MR. NEMECEK: One of the suggestions

16 was, and this is how it was described --

17 MR. JENNINGS: Where is the

18 representative from the church?

19 MR. NEMECEK: I could see Father

20 Sorgie right there.

21 MR. JENNINGS: I hope he comments

22 also.

23 MS. UHLE: I think maybe what we

24 should do is do one of two things: I know the

25 representatives from the church are aware of

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the concerns that were raised and other issues, we could either have them address those up front now, or I think we could listen to the comments. I think it's better that the board not respond but maybe have the church respond.

THE CHAIRMAN: I think the way it works is people come and they state their concerns, we listen, and then we move on from there. We don't engage in discussion and conversation. We listen to your concerns and they're valid and we've heard them. This is your opportunity for you to tell us all of your concerns, and then we'll move forward.

MS. UHLE: I think there are representatives from the church here that can perhaps respond.

MR. JENNINGS: That's fine. Mr. Nemecek, just to answer your question, I'm fully aware of where I moved, when I moved, and everything else, but what I did what my property since I've moved there and what they've done and let it get a lot worse is grossly unfair. So if you moved next door to somebody and they were throwing their stuff on

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to your property and their fence fell down and they wouldn't fix it and they won't respond, I don't think you'd be too happy either with that kind of response.

MR. NEMECEK: You're probably right. I am privy to the full application, and I believe it's been -- it's certainly been a matter of public record that part of the reasoning behind the introduction of the columbarium is to, A, address the needs of the community in terms of burials, but also to bring infusion of revenues so that the upkeep can be up kept and upgraded.

MR. JENNINGS: They just got a million dollars, I believe, last year in some grant.

MR. NEMECEK: I don't know that.

THE CHAIRMAN: So let's continue, okay. We got the housekeeping. We understand those concerns. Are there others?

MR. JENNINGS: The traffic concerns. They're going to be bring 2,000 -- it's going to be -- I understand where I moved, I'm fully aware of that, but to expand it with all these new burials, it's an incredible amount of

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increase in people that's going to go in there, and that's not what I was expecting when I moved there.

THE CHAIRMAN: Okay. Anything else?

MR. JENNINGS: Does that make sense?

THE CHAIRMAN: We hear your concern. I understand the concern.

MR. NEMECEK: We understand the concern.

MR. JENNINGS: I really hope that you don't let this go through.

THE CHAIRMAN: Anything else?

MR. JENNINGS: No. Thank you.

THE CHAIRMAN: You're welcome.

MS. LEIBOWITZ: Good evening. I'm Elizabeth Leibowitz and we wrote the letter to you. I would like to thank you for reading the letter.

MR. NEMECEK: It was long. It was four pages single space.

MS. LEIBOWITZ: What?

MR. NEMECEK: It was four pages single space. It took a long time.

MS. LEIBOWITZ: Thanks for reading it,

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and thank our neighbors for coming out and the parishioners as well because we would like you to hear our concerns.

I'm just going to recap. Traffic.

Father Sorgie said according to him there was pent up demand, so we do expect to actually see more traffic. Despite what he said about maybe two or three people coming when there is an internment of the cremains, I think there will be much more. We've seen it from our experience. Then water runoff, I'm curious about how much water the dry wells hold. That hasn't been discussed. I would like to say something on behalf of the trees because the trees, unbeknownst to us, are actively taking water out of the soil, running it up their trunks, and putting it out through their leaves. They have stomata on their leaves and they release the water. So one large tree can release a hundred gallons of water a day into the atmosphere. So, in essence, they're wicking out the water from the ground and a hundred gallons is a lot of water. We're going to be taking out these four large trees that

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would be constantly wicking out water, and instead we're put in dry wells, which do not wick out water, they just wait for it to permeate. It's going to have a huge effect. I took pictures in October when we heard this was happening. This is a picture of the green that's going to be taken out to put in the columbarium.

MR. TUDISCO: Ma'am, if you would clip that on there so the camera can pick it up.

MS. LEIBOWITZ: If you look at the fence line, you will see that everything on the other side of that fence line is green and that's where the columbarium is going to go. So all of that vegetation is going to be taken out. So all of that vegetation that's currently evaporating water into the atmosphere is not going to be there. So the landscaping plan might look nice, but it doesn't hold water. The three inch Yoshino Cherry trees -- just a note -- they have about a 15 to 20 year life span, so what happens after that? We're putting seven of them in. They're going to be really beautiful for about two weeks in the

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Spring, but I don't know if they're going to last that long. That's something that should be considered.

I would also like to talk about the view of the building. We could see the building from our bedroom windows, and we would prefer if they could lower the building by 12 to 18 inches so that we don't have to see it, the community members don't have to see it. That would be much better. It's going to be a different color material, it's going to be more evident than it is today because it will be made out of different materials and a different color and shape. So we're hoping that that could be done. If it involves less income because they have to get rid of some niches, then we have in mind the fact that all of us taxpayers when the tax law changed, the Federal tax law changed, we lost our deductions for state and local income taxes, our tax bill went up, we had to readjust financially, so if it turns out that the Holy Mount Cemetery has to readjust financially in order to accommodate the neighbors, I think they should take that

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into consideration.

We sadly have a history of unresponsiveness with the cemetery. We had a situation where -- this is before I married my husband -- he was there in the house with his ex-wife and there was a dry well that was just above our house and the cemetery would put the snow in it every year, and then in the springtime it would melt and it would run down the back of our lawn and nearly entered the den. Despite letters and phone calls, there was no response from the cemetery. It was just silent. So we're concerned about them being good neighbors because we don't have a good history. If you give them this variance and you approve of this and then we end up with water running down our hill, that becomes our problem. We really don't want that to happen. There is a variation of about 20 to 30 feet from Holy Mount Cemetery down to the houses and down to the street. All of the neighbors on that lower part are basically downhill, and we know that water flows downhill.

The other concern is unsightliness of

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the cemetery. We have signs up on our wall for no dumping, and they're there for a reason, because sadly they have not kept it up very well. They used to dump a lot on our property. We had to build a big fence to keep it out. I would suggest you make a requirement that they commit funds for the upkeep. Obviously, none of us were here a hundred years ago when they sold the plots and they committed to keeping the cemetery in good shape, but we are here today, so what commitment will be made by the cemetery going forward that that upkeep will be ongoing so that we don't end up in this situation? They gave us a twenty year plan, but some of us will live longer than that. The plan needs to specify how they will continue that upkeep for years beyond.

Those are my concerns. Thank you for listening.

MR. NEMECEK: Thank you.

THE CHAIRMAN: Thank you.

MR. TUDISCO: Mr. Chairman, I just wanted to address something that was raised by the last member of the community, especially

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1 for those who are watching at home. One of the
2 comments was that -- I guess a request that a
3 variance not be granted. This application is
4 not before this board for a variance. It was
5 previously before the Zoning Board of Appeals
6 for a use and an area variance, and those were
7 granted by the Zoning Board of Appeals. The
8 matter is before this body for site plan
9 approval. So I just wanted to clarify that for
10 anybody who might be watching at home. They're
11 different issues.

12 THE CHAIRMAN: Thank you.

13 MR. NEMECEK: Thank you.

14 THE CHAIRMAN: Other comments from the
15 public? You're going to get your chance. I
16 just want to make sure that there are no other
17 comments from the general public. You're the
18 applicant. They could be good comments if you
19 have them. They don't have to be bad. If
20 someone wants to say something good, you're
21 certainly welcome.

22 MR. CHIRICO: Good evening. I'm
23 Emanuel Chirico. I live at 31 Hewitt Avenue,
24 not near the site but in the neighborhood. I
25

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1 am the president of the finance council for the
2 church. I guess I just want to make two
3 comments because it was raised about the
4 financial situation.

5 The cemetery is well over a hundred
6 years old. I don't know how else to say it,
7 it's a dead cemetery. Whatever revenues were
8 raised, go back years and years, and it's been
9 a drain on the parish to try to keep the
10 property up to a level that it is today. We've
11 been really looking at ways that we can
12 generate revenue and beautify and make the
13 cemetery that much better. I can't address the
14 water issues and everything else that came up,
15 but that would be the plan, and part of the
16 plan is clearly to raise the funds so we could
17 do a number of the things here, really fix some
18 of the issues around the property. I think
19 some of the things that have been said have
20 been exaggerated and overstated, but clearly
21 it's been an area where we've --

22 MR. NEMECEK: Excuse me, sir. Sir.
23 Sir.

24 THE CHAIRMAN: Just let the gentleman

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1 finish.

2 MR. NEMECEK: He has the floor.

3 MR. CHIRICO: Since our new pastor
4 came in over the last four years, there's been
5 a number of maintenances to maintain the
6 property, keep the property up kept and clean,
7 and this is the next phase of that, to try to
8 move this forward from that point of view. So
9 we really tried to put something together that
10 will make this much more of a pleasing site for
11 the neighbors as they come up there, and at the
12 same time have a financially responsible plan
13 that could go on so that we could support this
14 cemetery into the foreseeable future. We've
15 gone out 20 years, but clearly there will be
16 funds there to continue that as we go forward.
17 There seems to be a demand for the niches to be
18 built, and we think we have a plan to support
19 it financially from that point of view.

20 THE CHAIRMAN: So just for my
21 edification, you said there's a plan in place
22 to maintain beyond 20 years. From a
23 bookkeeping point of view, how is that done;
24 money is put aside?

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1 MR. CHIRICO: Again, a major concern
2 will be how fast you're able to sell the number
3 of niches. The project itself is about a
4 million dollar project to do everything that
5 we're talking about here.

6 THE CHAIRMAN: That's for construction
7 you're saying?

8 MR. CHIRICO: Construction, site, and
9 planting of trees, and everything that's been
10 laid out. That's our round ballpark number at
11 this point. The 1600 niches with a potential
12 of somewhere between 2500 to 4500 depending on
13 the location for the niches, if you sold it
14 all, it's clearly going to generate well over
15 three million dollars. Again, that will be
16 over a period of time. To sell the niches,
17 we're projecting it's going to take between 6
18 to 10 years depending on how that would go.

19 So clearly we have the financial
20 support to raise the money to have the million
21 dollars, the million dollars within the parish
22 to support the building of that. Then as we go
23 forward, the funds that would come in from
24 building the niches will be there, and there's

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1 a perpetual care that exists today that throws
2 off revenue today of a little bit over \$55,000.
3 As that gets added to it, that should more than
4 double over the next five years as a portion of
5 the funds raised going to perpetual care that
6 stay there generate 4 to 5 percent interest a
7 year to support the maintenance from here, plus
8 the funds that would come in from the building.

9 We feel we are building something that
10 will be revenue generated and would allow us to
11 really support the property in a much for
12 efficient way as we go forward.

13 THE CHAIRMAN: Thank you.

14 MR. CHIRICO: You're welcome.

15 THE CHAIRMAN: So now if the applicant
16 would come up and address some of the issues
17 that were brought forth by the general public.
18 I'm sure you heard them, but I'll just run them
19 down too. They are concerned about the general
20 upkeep of the cemetery, as we hear, about the
21 fencing, and about traffic. I don't think you
22 could really address water runoff because our
23 consultant is doing that, and landscaping. If
24 you could just let us know what you think about
25

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1 the upkeep.

2 FATHER SORGIE: First of all, my name
3 is Father Sorgie. In one sense, I'm the
4 applicant, and in another sense 3,000 families
5 are the applicant. I'm the custodian. That's
6 what the pastor is. I'm going to go back over
7 everything that we did at the last other
8 Architectural Review Board and the Zoning
9 Board, and because I know how big your agenda
10 is, I'm not going to take you all the way back
11 except to tell you a couple of little things:

12 In 1997, there was a presentation
13 before the board to do something because it was
14 recognized that some of the things that were
15 said tonight -- some of them -- could no longer
16 be taken care of. The cemetery goes back to
17 the Civil War, and it was next impossible for
18 the parish with a Catholic School, a cemetery,
19 the parish, Assumption in Tuckahoe, that that
20 person at that time outlined 10 things that
21 made him wish to be build at that time a
22 mausoleum because columbarium were just
23 beginning. 1997.

24 Here we are, 22 years later, in a

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1 sense fulfilling what was seen then as the
2 problem, and then for 22 years we had various
3 amounts of success. He said, 15 years ago we
4 sold the last grave. 1982. So when Mr.
5 Chirico uses the expression, a dead cemetery,
6 it is a finished cemetery, meaning there is no
7 more perpetual care. What comes in, comes in,
8 the little bits that families could give to the
9 upkeep, and there's no more revenue.

10 I watched, when I looked backward --
11 I'm only here three and a half hears -- I saw
12 no longer a maintenance person assigned
13 full-time, which was in the 70's and the 80's.
14 I watched everything become stretched and
15 stretched. I said, why is this. I looked back
16 and found that two of my predecessors attempted
17 to do what we are here doing tonight, God
18 willing, which is to create the scenario to
19 beautify a 130 year old cemetery that carries
20 the remains of our beloved deceased, the "our"
21 being all over Westchester, and what could I
22 do. I went back to their plans, I see we're in
23 a modern era is choosing cremation over a full
24 body burial. So we went to this plan, I had
25

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1 success with it, I'm watching what's going on
2 in cemeteries like Mount Hope, Holy Sepulchre,
3 Gate of Heaven, St. Raymond's, did study,
4 study, study. This was going to be the way to
5 assist us to beautify the place that holds all
6 of our loved ones already but give new space,
7 and the finances, hopefully, as Manny said, I
8 don't want to repeat that, to do it.

9 I cannot speak -- I am a resident now
10 for three and a half years -- I cannot speak to
11 8 years ago, 10 years ago. I am in an office
12 where I listen to Mrs. Maria Haus, the
13 secretary of that Holy Mount Cemetery, answer
14 with respect every phone call that comes in
15 about anything, from the planting of a flower
16 to a grave that has shifted by an act of God.
17 I watch an attempt to care. She is the only
18 secretary of the parish, of the parish, which
19 is 3,000 families. So you see what I'm saying?

20 The way that we're going to do this --
21 this cemetery is not going anywhere, it existed
22 before, you know, but how are we going to care
23 for it? I believe this is the way that we will
24 care for it now, and with respect to our
25

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1 neighbors, respect to the concerns that were
2 leveled, especially all of those that had to do
3 with the environment. No one is going to say
4 it's impossible, so we'll do it, and with
5 respect to them.

6 I was left to understand -- but one of
7 my colleagues will have to answer this
8 question -- we don't have fencing. We never
9 put fencing up. Fencing broken, fencing up,
10 fencing excellent, fencing of Lake Isle, that
11 was all done by my neighbors. We were here
12 before, you know what I'm saying? That doesn't
13 mean we can't. That's something that I heard
14 that is certainly not the case. They could
15 speak to it better than I can. We want to do
16 the best. I can't tell you the exact number,
17 there are 5,000 graves, I don't know how many
18 are already buried of the 5,000 graves with two
19 and three persons being able to, but I know
20 that there are many left. There are many
21 family members that over these 27 years or
22 22 years have asked, can we do anything? Could
23 we buy back property; could we do this? I
24 think in the modern era where cremation is now

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1 creeping toward 50, 60 percent, that this is
2 one of the ways. We can't expand the way we
3 are.

4 So we promise, as we're doing, I have
5 a landscaper that persons could meet there
6 every week now. I don't want to speak about
7 what my immediate predecessor or the person
8 before that did or did not do. I can only
9 speak about now. I have a landscaper that goes
10 up weekly. My maintenance men, which are only
11 three and pulled in every direction on 3
12 campuses, 14 and a half acres with 11
13 buildings -- that's my problem, not yours but
14 just so you know that, and the cemetery is one
15 of those campuses -- so when we can generate
16 it, I will put proper personnel to assist in
17 the care now, as well as the outside care. I
18 have engaged wonderful planners, architect,
19 engineer. I trust them. We have met for two
20 years. We come to this with an immense amount
21 of time. My parishioners, certainly those at
22 Holy Mount who have an investment in Holy
23 Mount, meaning their loved ones are there back
24 to great grandfather's, know about it and will

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1 answer anything about it. Here we are.

2 THE CHAIRMAN: Okay. Thank you. So
3 listening to the concerns of the public and the
4 direct neighbors, I could understand how
5 they're appalled with the results they got
6 trying to contact the church in the past.

7 FATHER SORGIE: I felt it immediately.
8 I went to see it.

9 THE CHAIRMAN: It has been three
10 years. I'm not quite sure if their concerns
11 are within those three years, I certainly hope
12 they aren't because as long as you're there --
13 I listen to you every Sunday -- I think if you
14 were to be getting those calls, you would
15 certainly respond quickly.

16 FATHER SORGIE: Absolutely. Short of
17 moving trees that nature makes fall.

18 MR. NEMECEK: To build on the
19 Chairman's comments, I am also a parishioner of
20 Immaculate Conception for many, many years
21 before you came, Father Sorgie, and my
22 experience would be that you will not be at the
23 parish forever. We're talking about a 20 year
24 plan. It's unlikely, the way that the Arch

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1 Diocese works, that you will be here 20 years
2 from now in our parish. What assurances do we
3 have, can we give the neighbors that there will
4 be a plan in place, and hopefully, the revenue
5 will be there, so how will there be an
6 allocation made with assurances that that
7 money -- some of that money will be -- a
8 healthy portion of that money will be allocated
9 towards making sure of the upkeep of the
10 cemetery?

11 FATHER SORGIE: Rule of thumb, 25
12 percent of every dollar on the sale of a niche
13 is kept in perpetual care. Two kinds: Care
14 that can be spent to actually care and care
15 that can be never be touched, restricted
16 against acts of God, you know, serious
17 earthquake, flooding, that kind of. Always
18 there and generating. So that 25 percent right
19 of way is in there. That's the law of all
20 cemeteries.

21 Remember, of course, as I began, I'm
22 the custodian, that's all I am, the pastor.
23 I'm given responsibility for it, but I have
24 people above me, including the trustees of St.

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Patrick's Cathedral who run all the cemeteries of the Arch Diocese of New York. So you're talking about guarantee, you're talking about the same guarantees that can be given when you talk about all 71 cemeteries of the Arch Diocese of New York, not one on four acres in Eastchester.

MR. WEST: May I interrupt? At what level does the budget get cut; the parish level; the Arch Diocese; the Vatican? Where do they shrink your budget so that your landscapers are dumping stuff on people's yards?

FATHER SORGIE: That's local, if it's such a thing. If there's such a thing.

THE CHAIRMAN: So I took the question, and I'm still not quite sure, in the budget you have right now, is there a line item that's included for maintenance of the cemetery?

FATHER SORGIE: Very small one, yes.

THE CHAIRMAN: That's distressing.

FATHER SORGIE: At this moment.

THE CHAIRMAN: That's distressing, I mean, that it's gone into disrepair.

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FATHER SORGIE: I inherited it and I've increased it. Nothing but increased it. And now, hopefully, we'll be able to do it.

MR. TUDISCO: Sir, I'm going to ask you to please keep your comments to yourself.

THE CHAIRMAN: We're trying to get your questions answered.

So you said a quarter of the sales is put forth for immediate maintenance?

FATHER SORGIE: Perpetual care.

THE CHAIRMAN: Could you explain that a little bit clearer? I just want to understand how much is going to be available going further.

MR. CHIRICO: Like I said, the cemetery is a hundred years old, the money is gone. What would happen with this money, 25 percent of every sale goes into a perpetual care. 50 percent of that is used to maintain the property constantly, whatever needs to be done, and 50 is a corpus. It's there. That principal amount has to stay there and you live off the interest. So there's a million dollars there in total, half a million sits in one

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place and five percent interest, \$25,000 a year, to support the upkeep. Plus, there's that half a million dollars that should be there each year also gaining interest but being in there. Today we spend between 55 to \$75,000 a year maintaining that cemetery and it's a stretch. With this added funds, we would be able to at least double that each year, and that should take tremendous stress off of what's been going on before.

From our opinion, at the \$75,000 level that we're spending now, we feel the cemetery is being maintained at an appropriate level today. Again, to speak what happened 8 or 10 or 15 years ago, I can't address that. I have not been involved with the finances that long. It's clearly being addressed today and that's the plan, and we're trying to build something that will maintain that as it goes forward to give us the financial strength to continue to support for the next hundred years. The 25 percent is not an option. The 25 percent is Arch Diocese required and has to be done this way. There's no leeway on our part at this

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point.

THE CHAIRMAN: So that money that's put aside, can't be taken and put forth to any other use; is that correct?

MR. CHIRICO: If there was an issue or whatever, you make a request to the Arch Diocese, and where we've had that for capital or to buy a truck just this last year, that money is released. The interest immediately comes back to the parish, that I spoke of, so that's there to support the maintenance as we go forward. So there's a formulated process that you go through that should generate revenue to support the upkeep and the maintenance of the property.

THE CHAIRMAN: But that's ultimately controlled by --

MR. CHIRICO: Controlled by the parish, the local amount. The body, the dollars are invested by the Arch Diocese and their professionals to generate the income for us.

THE CHAIRMAN: You're saying perhaps you would be almost double what you're spending

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1 now is what you would have available?
 2 MR. CHIRICO: After this is all done,
 3 which there would be an upgrade immediately, it
 4 should at least be double from where we are.

5 THE CHAIRMAN: Okay. That explains
 6 it. Thank you.

7 MR. CHIRICO: Thank you.

8 THE CHAIRMAN: Did we cover
 9 everything? We understand the fencing --

10 MR. CHIRICO: We are pre-selling, so,
 11 I mean, you're approving this, we're going
 12 forward, but we're not building tomorrow. If
 13 the demand is not there and we only sell 50
 14 niches, we're not going forward. We don't
 15 expect that. But if we get the demand we
 16 expect, then the building would start. We
 17 wouldn't go down the road of starting this
 18 project before we had visibility into where the
 19 demand was and where we were. So it's not like
 20 a hope and prayer we're going to sell these
 21 niches. We're going to have to get a good
 22 reaction from the parish. We already have
 23 waiting lists of people saying they want to
 24 sign up, but now they have to sign up. I think

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1 the due diligence has been done, and I think
 2 the procedures and controls are in place that
 3 we're not going to get out and build something
 4 before we know we have the finances to support
 5 it.

6 MR. NEMECEK: Did we address issues of
 7 traffic and alike?

8 THE CHAIRMAN: No, not yet. We're
 9 still playing around with this. So if you
 10 don't move forward on the application, I
 11 imagine the upkeep is still obviously whatever
 12 you have now. Looking at the site photos, it
 13 seems like it's in disrepair right now; is that
 14 enough to continue?

15 MS. UHLE: Which site photos are you
 16 looking at?

17 THE CHAIRMAN: I'm just looking at
 18 some of them. I guess that's mainly the
 19 fences; right?

20 MS. UHLE: I think those are views
 21 from adjacent properties.

22 Can I just say something quickly about
 23 the site maintenance because I'm getting a
 24 little bit confused about a couple of things?

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1 I think what the gentleman from 9 Innisfree
 2 said and what Mrs. Leibowitz said about workers
 3 potentially dumping something on their
 4 properties, that's obviously unacceptable and a
 5 phone call should be made and that could be
 6 dealt with immediately. In our department, the
 7 Building and Planning Department, twice I
 8 received a complaint from somebody who was
 9 actually visiting a grave site from out of
 10 state and felt like the property was not
 11 maintained to the extent that they felt that it
 12 should be. Not only did I send a code
 13 enforcement officer up there, I went up there
 14 personally, and in all honesty, it was clean,
 15 it was lovely. I couldn't find anything. I
 16 felt uncomfortable for this person that
 17 obviously felt that it should have been
 18 maintained to a higher standard, and I think
 19 some of the head stones maybe -- I don't know
 20 how this is done -- could have been cleaned a
 21 little bit differently or something. When
 22 people are talking about the site maintenance,
 23 other than the dumping things, which I
 24 understand is totally unacceptable, I'm not

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1 sure what we're talking about exactly. We also
 2 received a complaint about a fence years ago
 3 and determined that actually was not owned by
 4 the cemetery.

5 We're hearing about the condition of
 6 fences, but apparently those are not owned by
 7 the cemetery. We're hearing about dumping,
 8 that could be addressed easily. So I'm not
 9 sure when you're talking about general site
 10 maintenance issues, what you're talking about
 11 because I don't think anyone has articulated
 12 that.

13 THE CHAIRMAN: Right. I think it's
 14 the concerns about the dumping and about the
 15 overall appearance of the fences.

16 MR. CHIRICO: I would just say on the
 17 dumping -- again, I can't speak to every
 18 instance -- the few that we are aware about, it
 19 was third parties coming in to the site and
 20 dumping stuff. It wasn't the parish dumping
 21 stuff. Obviously, as we become aware of
 22 things, we'll address those.

23 FATHER SORGIE: Of course.

24 THE CHAIRMAN: Understood. So then to

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Mr. Nemecek comment about traffic, I understand there's a concern. I imagine you can walk us through what you think might be the operations of the --

FATHER SORGIE: One of things about burials, of course, is we control the time. So if you have a day, which has been very rare -- I said this to the Zoning Board -- very rare that we have had multiple burials at Holy Mount on a single day, unlike places like Gate of Heaven, Saint Raymond's, bigger cemeteries, in those rare occasions that we did, the funeral directors are coordinating who comes in and who goes out and they have to wait, of course, a little bit to come in and out. It's not that everybody is coming in together. So we control the time for burials, whether they be a columbarium niche or a full body burial. We can control that. We're the ones who do the funerals or we take the appointments and send somebody to do the burials.

On days like Memorial Day, Labor Day, 4th of July, Mother's Day, Father's Day, Easter, Palm Sunday, times that traditionally

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people would visit cemeteries or go, of course there's an increase. Veteran's Day our VFW goes up and puts the flags, there would be an increase, but that's when cars come on and cars come off. If I knew that there was going to be any kind of big ceremony, immediately I would call Chief Bonci myself to get help to do that if there was anything like that, but I'm not aware of that many of those when they happen that way.

THE CHAIRMAN: On the map there, cars come off of California, turn in, and go all the way in, turn around --

FATHER SORGIE: They turn around and come back out.

THE CHAIRMAN: If they're attending something there, they're way off the road; right?

FATHER SORGIE: Yes. Sure. That's a very long driveway the town owns.

THE CHAIRMAN: I am looking at the map there and it's very long.

FATHER SORGIE: Very long. It's two sided.

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THE CHAIRMAN: There's enough width for two cars to get by in both directions; correct?

FATHER SORGIE: Yes.

THE CHAIRMAN: Typically, I mean, in the largest extreme, how many people might attend a service that's there?

FATHER SORGIE: It's very hard to say. We bury children, teenagers, which brings out half the high school that wants to go up, but our funeral directors control that. They bring with them six, seven men, whether it's Westchester or Bennett or McGrath or Yannantuono who we use, those four, they know how to do this. They do it. They care for the traffic, leaving cars out, walking them in, making sure elderly people. So in general there's not a problem with that.

THE CHAIRMAN: Are there services being conducted there in the past few weeks, months?

FATHER SORGIE: Have there been some services in the past few weeks? Sure.

THE CHAIRMAN: There have. Okay.

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FATHER SORGIE: Burials?

THE CHAIRMAN: Yes.

FATHER SORGIE: Sure.

THE CHAIRMAN: So it's not uncommon that it happens and it's an occurrence that people have seen?

FATHER SORGIE: Oh, sure.

MR. CHIRICO: I would make one point. If you're burying remains, ashes versus a full casket, most times, like 60 to 70 percent of the times, the body is removed from the church, taken back to the cemetery to then be cremated. At that point, what tends to happen is, unlike after a funeral mass where a number of people go to the service, when it's an internment, it's usually just the immediate family. So it's much smaller groups that come to intern the ashes into the cemetery. It's usually much smaller groups that come in. Just to take that into consideration. Today it's all body burials and goes from our church directly to the cemetery.

MR. NEMECEK: So is the procedure where you're going to have a cremation, is it

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1 typically the casket is rolled up with the
2 corpse in it, the funeral mass is held at that
3 point, and then the cremation occurs after
4 that?

5 FATHER SORGIE: Yes. Typically.
6 Typically. You can take the other and delay.
7 Sometimes that happens, and then the cremains
8 are taken from the funeral mass home with
9 persons, and a year later, 2 years later, 10
11 years later when they buy niche people saying
12 now I can bring -- this is not what I would
13 recommend -- now I could bring my parents
14 together to be placed in a niche, I've been
15 waiting from some room in Holy Mount.

16 MR. NEMECEK: Okay.

17 THE CHAIRMAN: Thank you. I think
18 we've addressed most of the issues. Regarding
19 the height of the building, we brought it down
20 already?

21 MS. UHLE: The applicant reduced the
22 height from what was originally proposed so
23 that it's exactly the same height as the
24 existing building there now.

25 THE CHAIRMAN: Okay.

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1 MR. NEMECEK: I think in terms of the
2 storm water management, I know that Mrs.
3 Leibowitz commented on her preference for
4 trees, and certainly I'm a great lover of
5 trees, but I'm also not an expert on storm
6 water management, and the experts seem to
7 believe that a combination of the retention
8 systems and trees seem to work the best. We've
9 been spared these past number of years the
10 really heavy storms that we had about 10 years
11 ago, but with global warming and alike, I think
12 we could probably expect more 50 year storms
13 than we're accustomed to. It does seem like the
14 storm water management issues are being
15 addressed, and they're being addressed to the
16 satisfaction of the consultant that -- the
17 impartial consultant working in conjunction
18 giving his recommendations to the applicant's
19 consultant. I think those issues have been
20 addressed to my satisfaction.

21 THE CHAIRMAN: Am I right to think
22 there are still a few odds and ends to be
23 picked up on the site plan between our
24 consultant and the applicant?

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1 MS. UHLE: I think really the major
2 outstanding issues are just coming to a final
3 resolution with regard to the final storm water
4 management plan and the final landscaping plan.
5 The applicant has been extremely responsive to
6 the town's comments. I think that the only
7 potential issue is that it's kind of a tight
8 space and kind of tricky and we do want to
9 ensure that my department doesn't receive phone
10 calls after a rain storm saying this is
11 creating some kind of problem. As the
12 applicant indicated, I think our engineer is
13 asking them to over design it to an extent just
14 to be on the safe side.

15 I think the only other area that
16 there's a little bit of concern or confusion is
17 with regard to the landscaping. What the
18 landscape architect proposed seems very
19 sufficient and adequate, but if you look at Joe
20 Cermele's memo, he talks about removing
21 undesirable or unhealthy trees and shrubs,
22 woody debris and tree and ground vines. I
23 think there needs to be a little more
24 discussion about how that's going to be done

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1 and how those slopes are going to be stabilized
2 and what the result of that is going to be.
3 Again, those are things that could be done as a
4 condition of approval. I think we're being
5 overly cautious about both of these issues just
6 because we want to make sure they're addressed
7 right upfront, and I think the applicant is
8 very aware of what we're wanting them to do,
9 and I know Joe Cermele is very aware of the
10 issues. Joe and I actually did go out to both
11 of the neighbors' properties and met with them
12 and viewed the site from their perspective, and
13 then we've been on the site together. I really
14 think those are the only two issues, and I
15 think we're coming very close to a resolution
16 on those.

17 MR. NEMECEK: Mr. Allen said that he
18 was in agreement and could accommodate the
19 requests here. I know from experience, that
20 your department has worked very well to get us
21 to the finish line in situations where it's the
22 smaller details that are left, but we've
23 reached a consensus on how to move forward on
24 the bigger pictures.

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1 MS. UHLE: I think those are the two
2 outstanding issues, and then it's up to you
3 whether you want to wait and hear back from our
4 engineering consultant at the next meeting or
5 whether you just want to do what you have to
6 done sometimes in the past and issue a
7 conditional approval. I don't know if you guys
8 feel like you need to go back out to the site.

10 THE CHAIRMAN: I think the concerns
11 are enough that we should let the consultant
12 revise the drawing bases on our consultant's
13 comments, have Joe Cermele take one last look
14 at it, approve what's been done, and give us
15 the final okay that what's been proposed is
16 adequate. I would like to make sure it's
17 correct. You're right, on most jobs we do it
18 conditional, most projects or applications we
19 do it conditional, but I think there's enough
20 that has to be resolve here.

21 MR. NEMECEK: The applicant indicated
22 this is not something that's going to move
23 forward at a break neck speed. It seems to me
24 that we're pretty close. Since we do have
25 another meeting in just another four weeks or

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1 so, that it sounds like, once again, our
2 Chairman is taking the very prudent course.

4 THE CHAIRMAN: Thank you. Of course,
5 we'll probably go out and take a look again at
6 the site. This remains an open public hearing,
7 so, of course, if you have a comment --
8 absolutely.

9 MS. SHIELDS: Can I do it from here?

10 THE CHAIRMAN: I'm sorry, can you make
11 it over there?

12 MS. SHIELDS: My name is Dorothy
13 Shields, and I live on Oregon Avenue. I would
14 just like two clarifications.

15 Is the columbarium to be open to just
16 people at Immaculate Conception or everybody in
17 Westchester or everybody in Eastchester?
18 That's the first clarification.

19 Second clarification is: It sounds
20 like from Father Sorgie, that the parish is
21 responsible for this cemetery; however, is
22 above them is the Arch Diocese of New York; is
23 that correct?

24 FATHER SORGIE: Yes.

25 MS. SHIELDS: So I would like the

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1 first clarification, I guess. Father Sorgie
2 gave me the second.

4 THE CHAIRMAN: Could you go on record
5 here for that. Could you go on record with the
6 responses to both. I think your second
7 question is, you just want to understand
8 interaction between the Arch Diocese and the
9 budget for the columbarium.

10 MR. SHIELDS: In my mind, that is more
11 of a guarantee if the Arch Diocese is above
12 Immaculate Conception.

13 THE CHAIRMAN: They both have the same
14 concern.

15 FATHER SORGIE: The cemetery will be
16 open to -- I doubt many people from, you know,
17 Duluth, Minnesota are going to be interested,
18 but if they said to me, we would like to buy a
19 niche because mom and dad are buried there --
20 or any reason -- they like the look of the
21 columbarium, we want to come back to New York
22 when we die, the answer would be, yes. Sale,
23 religion, creed, that whole business.

24 Secondly, yes, everything, everything,
25 in a parish is under the general umbrella of

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1 the Arch Diocese of New York but are the local
2 people.

4 MR. SHIELDS: So it's not like
5 considered -- well, Gate of Heaven is so big
6 and Calvary and all that, so even these little
7 cemeteries?

8 FATHER SORGIE: Yes. There are 69 of
9 them, I think, left. Parish cemeteries. We
10 have some autonomy, but ultimately, it all
11 reaches back. There are things called diocese
12 in cemeteries. Gate of Heaven is one of them.
13 Saint Raymond's, Holy Sepulchre in New
14 Rochelle -- I could keep going -- Saint
15 Joseph's, Brewster --

16 THE CHAIRMAN: Got it. Is that a
17 sufficient answer? Great, thank you.

18 MR. ALLEN: We've heard the board's
19 comments and the public's comments. From a
20 procedural standpoint, we would ask the board
21 to consider closing the public hearing tonight
22 since it was duly noted and not coming back for
23 a public hearing. To hold this over, in our
24 opinion -- as I said, I've known Joe Cermele
25 for half my lifetime, so there is no reason we

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1 can't work that out with them if you want to
2 push this forward. It's just a question of
3 what the board wants to do. At the minimum, we
4 would ask you to at least close the public
5 hearing since the public has been heard.

6 MR. TUDISCO: Mr. Chairman, my
7 suggestion, and this is obviously your call and
8 the call of the board, but it seems to me that
9 if you're going to be asking the applicant to
10 bring additional information or to bring
11 something else with the consultant, based upon
12 the amount of people that are here, the
13 concerns that were raised, my advice would be
14 to keep the public hearing.

15 THE CHAIRMAN: Thank you for your
16 advice. I appreciate it and I agree. I think
17 we're going to do that.

18 MR. NEMECEK: I do too. I think we've
19 had a robust discussion and --

20 MR. ALLEN: My point is that the plans
21 aren't going to change dramatically from point
22 A to point B where we're at right now.

23 MR. NEMECEK: For the same reason,
24 leaving it open isn't going to -- there's only

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1 so much we'll go with the comments. We don't
2 want a complete do over of this. We've heard
3 what I believe to be a representative sampling
4 of concerns from the community, particularly
5 the immediate neighbors, and if someone wants
6 to respond to the new information, certainly
7 they should have the opportunity to do so. I
8 can't guarantee that we're going to keep it
9 that tight, but we're not going to have -- I
10 mean, the Jets are probably already on the
11 clock right now and we're still on our first
12 application tonight.

13 MR. ALLEN: Yes.

14 MR. NEMECEK: We're not intending on
15 having a complete do over next month.

16 MR. ALLEN: Fair enough. I had to
17 try.

18 MR. NEMECEK: I understand.

19 MR. PULASKI: I have two things that I
20 would to see in coming back is, one, what the
21 area is that you're collecting the water that
22 all comes to that point --

23 MR. ALLEN: Actually, that's in one of
24 our --

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1 MR. PULASKI: Is it just the contour
2 of the slopes or is there some drainage along
3 the roadway? I would just like to see how that
4 was determined, and then obviously that came
5 into your calculation into your dry well.

6 The second thing that I heard was,
7 does anyone feel that the selection of the
8 Cherry trees should be reconsidered to
9 something that is not -- if Ms. Leibowitz is
10 correct -- that will last more than 15 or
11 20 years?

12 MS. UHLE: I think that you might want
13 to defer some of that to the -- Kellard
14 Sessions also has licensed landscape architects
15 that are coordinating with the applicant's
16 landscape architect. So maybe that is
17 something we could do discuss.

18 MR. PULASKI: I'm just speaking to the
19 applicant's representative. I'm not trying to
20 steer it one way or the other. I'm just asking
21 repeating a question that was asked by the
22 public.

23 THE CHAIRMAN: So we ask the applicant
24 to look into that also.

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1 That being said, I think we've hit on
2 everything. The public hearing is going to
3 remain open, and we look forward to seeing you
4 gentlemen next month.

5 MR. ALLEN: The next meeting date is?

6 MS. UHLE: The next meeting date is
7 May 23rd.

8 MR. ALLEN: May 23rd?

9 MS. UHLE: Yes.

10 MR. ALLEN: Thank you.

11 MR. NEMECEK: Four weeks from today.
12 Thank you.

13 THE CHAIRMAN: Thank you.

14 The next application is 19-10, Burrata
15 Wood Fired Pizza.

16 You have to make up for lost time; all
17 right?

18 MR. ANDERSON: Shall I proceed?

19 THE CHAIRMAN: We'll just vote on it
20 right now. It looks really good.

21 MR. ANDERSON: Good evening, board
22 members. My name is Chaz Anderson, and I'm the
23 chef/owner of Burrata Restaurant at 425 White
24 Plains Road. I would like to thank all of you

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 2 for this opportunity in presenting this
 3 evening.
 4 As you may know, Burrata is currently
 5 expanding into the adjacent space, which was
 6 formally a hair salon. After meeting with the
 7 Architectural Review Board on April 4th and
 8 having their approval, I am now before all of
 9 you in requesting for your approval to make
 10 facade improvements to the existing and
 11 expanded restaurant. The proposed facade will
 12 consist of new stucco, consisting of limestone
 13 aggregate; a cast stone water table to match
 14 the color of Indiana limestone; new and
 15 improved windows and doors manufactured by
 16 Marvin made of metal in the color of Ebony;
 17 detailed window trim and crown molding
 18 manufactured by AZEK, painted to compliment the
 19 stucco and stone; new sign letters to be made
 20 out of satin brass. Sign lighting will be
 21 linear and horizontally mounted above the
 22 letters. Bevolo gas lanterns on each side of
 23 the main entry door made out of copper.
 24 Lastly, French inspired planters to house
 25 boxwoods; however, that will be, from what I

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 2 understand, a further conversation with the
 3 Highway Department with respect to being in the
 4 right-of-way.

5 THE CHAIRMAN: So everything in that
 6 elevation is new or you're taking out the
 7 windows and putting new ones in?

8 MR. ANDERSON: Yes. So the intent is,
 9 it's all going to be new. So I'm going to
 10 remove what I currently have. The doors and
 11 windows that I currently have in place, I try
 12 to upkeep it as best as possible but they're
 13 made out of wood and they've seen better days.
 14 They're starting to rot a little bit and some
 15 of the windows tend to leak. So that is what I
 16 inherited several years ago when I took that
 17 space. Now, I actually own the property, so
 18 I'm trying to invest within my property and do
 19 it the better way. So having the opportunity
 20 to tie in the new facade with my existing, my
 21 intent is to redo the facade to upgrade to a
 22 better facade, and the idea not only to upgrade
 23 it to a better facade but to enhance the
 24 appearance to a better looking facade.

25 THE CHAIRMAN: So are we matching the

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 2 existing colors; what's it called, Indiana
 3 limestone?

4 MR. ANDERSON: Yes.

5 THE CHAIRMAN: You brought samples?

6 MR. ANDERSON: This is a rendering
 7 of --

8 THE CHAIRMAN: Actually, the light is
 9 better over there.

10 MR. ANDERSON: Sorry. So this is a
 11 sample rendering of the plaster. It's actually
 12 a product coming over from Italy. The way they
 13 do stucco in the old world. This is was an
 14 exact color match of Indiana limestone. I have
 15 a sample of that as well that I could show you
 16 and hold up next to it.

17 THE CHAIRMAN: Will that stand on the
 18 easel because the lighting where you are just
 19 seems to be --

20 MR. ANDERSON: Yes.

21 MR. TUDISCO: You can unravel the mic
 22 and bring it around if you want.

23 THE CHAIRMAN: Yes, that's the color.
 24 What's the sample you have? You said you have
 25 a sample also; what's that?

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2 MR. NEMECEK: It's a good match.

3 MR. ANDERSON: So this is a sample
 4 rendering of the true what we call stucco, but
 5 this is true plaster is the way they do it in
 6 the old world. It's not the synthetic material
 7 that is being used a lot today with EIFS
 8 material. This is going to be Indiana
 9 limestone, which is going to be underneath the
 10 windows, which I'm calling a water table or
 11 door threshold. This is an example of the
 12 letters. This is the color of the ebony
 13 windows and doors made out of metal.

14 THE CHAIRMAN: The sign is going to be
 15 the same color as the existing there?

16 MR. ANDERSON: No. The sign is going
 17 to be made out of brass, solid satin brass, and
 18 that is something that I'll go before the sign
 19 meeting.

20 THE CHAIRMAN: Right. Okay.

21 MR. WEST: I remember from last
 22 meeting, that the square footage and parking
 23 and traffic is all -- how many tables are you
 24 going to put in this new thing?

25 MS. UHLE: Actually, the parking

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2 requirements for -- he is not required to

3 provide any parking and we don't limit the

4 number of tables either. It's based on the

5 gross floor area of the building, so it's

6 grandfathered with regard to parking.

7 MR. NEMECEK: We already approved

8 the --

9 MS. UHLE: You already approved the

10 special permit for the restaurant, so he's just

11 coming back for the facade.

12 MR. NEMECEK: And I remember at the

13 time, it wasn't that long ago, I guess November

14 29th, right after Thanksgiving, I remember we

15 very much encouraged you to use this

16 opportunity to bring unity to the frontage.

17 MR. ANDERSON: Correct.

18 MR. NEMECEK: I will say I was

19 watching -- as I want to do as a very intense

20 member of the Town of Eastchester community --

21 I was watching the ARB presentation a few weeks

22 ago, and I have to say, I saw you come up and

23 make this presentation, I'm like, this looks

24 spectacular.

25 MR. ANDERSON: Thank you.

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2 MR. NEMECEK: It's a vast improvement.

3 I know this is an investment too. I love your

4 restaurant.

5 MR. ANDERSON: Thank you.

6 MR. NEMECEK: I hope this is an

7 indication that you're doing well enough that

8 you're intending on staying awhile, but I think

9 this is a really nice, really significant

10 upgrade. I see you've put a lot of care into

11 it. I really applaud the effort.

12 MR. ANDERSON: I appreciate that.

13 Thank you.

14 THE CHAIRMAN: Mr. Pulaski, any

15 comments?

16 MR. PULASKI: I support Phil's

17 comments.

18 MR. NEMECEK: We have a bigger viewing

19 audience, a much more substantial viewing

20 audience than the ARB.

21 THE CHAIRMAN: Let's just see if there

22 are any comments from the public, so standby.

23 I make a motion to open the public

24 hearing to this Application 19-10, Burrata Wood

25 Fired Pizza.

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2 MR. NEMECEK: Second.

3 THE CHAIRMAN: All in favor.

4 (All aye.)

5 THE CHAIRMAN: Comments?

6 (No comments.)

7 THE CHAIRMAN: I make a motion to

8 close the public hearing on the same

9 application, 19-10, 425 White Plains Road.

10 MR. PULASKI: Second.

11 THE CHAIRMAN: All in favor.

12 (All aye.)

13 THE CHAIRMAN: I think we've given you

14 enough praise. You guys are going to start

15 soon?

16 MR. ANDERSON: Now if I have your

17 blessing, I'm going to submit this to the

18 Building Department, and I'm in the middle of

19 construction for the expansion as we speak.

20 MR. NEMECEK: You'll have to get the

21 artisans at work in the old country.

22 MR. ANDERSON: Say that one more time.

23 MR. NEMECEK: You'll have to get the

24 artisans at work in the old country.

25 THE CHAIRMAN: So then I make a motion

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2 to approve this application, 19-10, 425 White

3 Plains Road.

4 MR. NEMECEK: Second.

5 THE CHAIRMAN: All in favor.

6 (All aye.)

7 THE CHAIRMAN: Great. Thank you very

8 much.

9 MR. NEMECEK: Nice job.

10 MR. ANDERSON: Thank you very much.

11 THE CHAIRMAN: The next application is

12 19-12, 22 and 24 Water Street.

13

14 MR. ANDERSON: Good evening. Steve

15 Anderson from Gabriel Senor Land Surveyors and

16 Engineers. We're asking tonight for an

17 extension of the approval. We just got the

18 Health Department to sign the mylar on the

19 18th. So it's been in the process of going

20 through the consulting engineer, the DPW, Suez,

21 and the Health Department. So we finally have

22 worked out all the utilities for the proposed

23 water main and the proposed sewer. Now we're

24 to file with the county, so we do need an

25 extension for that.

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MR. NEMECEK: So this is literally just an extension of time?

MS. UHLE: It's not really an extension because technically the zoning law doesn't allow for extensions to an extent.

MR. NEMECEK: It's a resubmission.

MS. UHLE: It's a resubmission. It's a new application, but technically they're asking for an extension. Unfortunately for the applicant, they had to submit a new application fee. You guys are going to have to sort of adopt all the same kind of approvals and SEQRA findings and things that you did previously. Basically, as the applicant said, I guess there were some holdups for a variety of reasons, but then it came down to getting the Health Department's signature on the mylar, and that was the one thing that was holding it up from allowing the chairperson to sign the mylar. I believe they just got the signature a couple of days ago.

MR. ANDERSON: The 18th. I just picked it up yesterday.

MS. UHLE: So at this point it should

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be ready to go.

MR. ANDERSON: We could go to the county as soon as the Planning Board signs it, then we get the letter from the title company and the tax assessor saying that all taxes are paid and everything.

MS. UHLE: Then the applicant also has to post a performance bond and pay a maintenance fee. Applicants always wait, for obvious reasons, until the very last minute to do that. They haven't been procrastinating on that, they just don't want to do that until it's absolutely necessary.

MR. PULASKI: I thought the brief said that we did have the bond money?

MS. UHLE: No. What you did is you establish the amount, it just hasn't been actually posted yet.

THE CHAIRMAN: So, Margaret, this goes back to the zoning for the area variances?

MS. UHLE: Yes. That's another thing that I have to say, the area variances also expired. If you reapprove this, your approval will be subject to the condition that the

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Zoning Board grants the variances, which I think that process will be similar to this one. It's sort of just administrative.

MR. NEMECEK: If I could cut through everything here; other than the procedural steps that we have to take, are we being asked to do anything new that we haven't previously approved?

MS. UHLE: No.

MR. NEMECEK: That should make it easier because the board is made up of the same constituents.

MS. UHLE: Absolutely nothing has changed.

MR. NEMECEK: Okay.

THE CHAIRMAN: Also go faster. Is there a public hearing also?

MS. UHLE: Yes.

MR. NEMECEK: Because it's a new application.

THE CHAIRMAN: So we have to do that and then we could come back and talk about the approval. So let's just see if there are any comments from the public. So I make a motion

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to open the public hearing on this application, 19-12, 22 and 24 Water Street.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Comments?

(No comments.)

THE CHAIRMAN: No. Good. Back to this. So now we adopt a Neg Dec now before it goes to the Zoning Board?

MS. UHLE: Yes. We can do this as an uncoordinated review, which means you'll adopt a Neg Dec and they'll adopt a Neg Dec. What you'll technically be doing is adopting a Neg Dec, approving a preliminary subdivision plat this case adopting a Neg Dec, approving a preliminary subdivision plat, approving a final subdivision plat subject to the conditions that are noted below, even though some of them have been satisfied. I think what you could basically say in doing is that you're incorporating all of the findings you made in your previous approval and just readopting those.

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THE CHAIRMAN: And then we refer it to the Zoning Board.

MS. UHLE: And then refer it to the Zoning Board. The only thing I'm a little concerned about is, again, the zoning law says for subdivision approval you have 180 days, you're going to be delayed a couple of months just because of the Zoning Board approval, so even though -- although I said this awhile back -- I think that you may want to say in your approval, you know, allow another six months, even though I think it's not going to be nearly that long. If you think about it, you're going to refer them to the Zoning Board, the Zoning Board does not make a determination the month that they hear an application, so that will be another month before they get that Zoning Board determination. So just to be on the safe side, I would say six months just so that they don't come back in three months.

THE CHAIRMAN: Okay.

MR. PULASKI: Can't it be six months following the approval of zoning?

MS. UHLE: Yes. If you want to do it

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that way, you could do that.

MR. PULASKI: You have a full 180 days, which is what the intention is.

MS. UHLE: You could make that clear too, that the approval will be for six months --

MR. PULASKI: Period will start with the --

MS. UHLE: With the approval of the Zoning Board. That makes it even cleaner.

THE CHAIRMAN: Good point. So let's do that. I'll try to put this all together into one motion.

MR. NEMECEK: Did we close the public hearing?

THE CHAIRMAN: No, but they're coming back; aren't they?

MS. UHLE: No, they're not going to come back to you.

THE CHAIRMAN: That's right. Thank you. So I make a motion to close the public hearing on this application, 19-12, 22 and 24 Water.

MR. NEMECEK: Second.

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THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: I'll do this in bullet points.

I make a motion it adopt a Negative Declaration coordinated SEQRA review, number 1; approve the preliminary subdivision plot; approve the final subdivision plot subject to the conditions stated below, which is having to do with the amount and the amount; and specify a time resolution for this, which will be 180 days following approval by ZBA.

MS. UHLE: Also, one of your conditions is that the approval is subject to the condition that the ZBA grants the variances.

THE CHAIRMAN: Yes, that's right. As Margaret said, subject to the condition that the ZBA grants the area variances. So that's the motion.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: I think I just have to

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refer you to the ZBA to get you there so that they can grant the variances so you could finish this.

So then I make a motion to refer Application 19-12, 22 and 24 Water, to the ZBA for review of the area variances.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: You're good to go.

MR. ANDERSON: Thanks.

THE CHAIRMAN: You're welcome.

The next application is 19-09 760 White Plains Road, Keller Williams.

MR. IANNACITO: Good evening. My name is John Iannacito, I'm an architect, and I'm representing Post Road Realty 5, LLC, the owners of the subject property. This project was approved by the Planning Board on November 30th, 2017, and we are back tonight because we are proposing changes to the previously approved facade alterations. Due to the high cost of construction bids, the owner has decided to make a couple of changes to help

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1 reduce the cost of construction.

2 I'll just go over the site plan again.

3 This is the existing site plan, existing
4 structure, parking at the rear. This is
5 previously approved and proposed site plan.

6 Two story addition at the front, parking at the
7 rear, and driveway. There will be no changes
8 to the size of the addition, no changes to the
9 use of the building, and no changes to the
10 previously approved parking requirements. The
11 only changes are to the facade.

12 Here we have a rendering showing the
13 previously approved facade and the new facade.
14 So the proposed facade changes will include
15 elimination of balconies and decks at the
16 second and third floor. So previously you were
17 able to walk out of the building and be in an
18 outside space above the second and third
19 floors. So we're going to eliminate those
20 balconies and just have flat roofs in those
21 locations. You're not going to be able to walk
22 out of the building in those locations.

23 The second change was the
24 reconfiguration and relocation of windows and

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1 doors. So all the doors going out to the
2 balconies will be eliminated and changed to
3 windows.

4 The third change was to reduce the
5 amount of stone on the front facade here, and
6 we're only going to have a stone base and the
7 rest of it will be stucco.

8 Also, on the exterior materials
9 everything stays exactly the same as was
10 previously approved. The wall surfaces will be
11 stucco and stone, the roof surfaces will be
12 black with a membrane, the windows will be
13 aluminum with a black finish, the trim board
14 will be painted AZEK in a black finish, and the
15 railings will be aluminum in a black finish.

16 The application was before the
17 Architectural Review Board on April 4th, and
18 asked us to the color of the stucco two
19 different shades, a lighter shade at the front
20 and darker shade at the rear, so we did that.

21 The second recommendation was to
22 reduce the size of the fascia boards on each
23 level. The previous elevation that was
24 presented to the Architectural Review Board had

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1 a fascia closer to this size on all levels, so
2 we reduced that to a smaller scale.

3 The third was to bring back the
4 additional windows on the third floor.
5 Originally, we were reducing that to smaller
6 windows.

7 I'll be happy to answer any questions
8 you have.

9 THE CHAIRMAN: I think they both look
10 good. I think they're both handsome. Other
11 comments, guys?

12 MR. PULASKI: The parking in the rear,
13 is there a part of the building that you have
14 eliminated back there? You eliminated the
15 steps; right?

16 MR. IANNACITO: Yes, we did eliminate
17 the steps.

18 MR. PULASKI: That's current or that's
19 previous?

20 MR. IANNACITO: This is currently
21 there now because construction hasn't started
22 yet. So this is the way it is today. There's
23 an entrance back here, so now we're going to
24 have a new entrance here.

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1 MR. PULASKI: So you are eliminating
2 something that was between the wall and the
3 back of the cars? There were some steps there.

4 MR. IANNACITO: There will be a
5 sidewalk here. Now you have to kind of walk
6 around this.

7 MR. PULASKI: My question is: Does it
8 make sense to try to pull those cars a little
9 bit closer to the wall and give you a little
10 bit more --

11 MR. NEMECEK: This is only facade.
12 This is facade.

13 MS. UHLE: You guys already approved
14 that.

15 MR. PULASKI: I hear you, but you come
16 back and I -- you eliminated a piece of facade;
17 right?

18 MR. IANNACITO: We lowered the --

19 MR. PULASKI: No, in the back.

20 MS. UHLE: No, nothing in the back.
21 It's only for the front facade.

22 MR. PULASKI: I was comparing drawings
23 and it just looked different.

24 MR. IANNACITO: The size of the

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 2 building is exactly the same size as the
 3 previous.
 4 MR. PULASKI: That I understand. I'm
 5 just comparing the drawings and --
 6 MR. IANNACITO: The only thing, by
 7 removing that curb we would want to maintain at
 8 least 3 feet for people to circulate there. If
 9 we had to add an extra foot or 18 inches to the
 10 backup aisle, we could always do that.
 11 MS. UHLE: That parking and
 12 circulation was looked at exhaustively by both
 13 the Planning and Zoning Boards. I think at
 14 this point you're just approving the facade
 15 changes. Everything else was approved.
 16 THE CHAIRMAN: Except, except -- I
 17 think during the approval we talked about the
 18 parking in the drive aisle between the two
 19 buildings.
 20 MR. IANNACITO: They're not supposed
 21 to be parking there, yes.
 22 THE CHAIRMAN: They're not supposed to
 23 be parking there. How does that happen? Mr.
 24 West picked up on it immediately.
 25 MR. IANNACITO: They keep parking

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 2 there, yes.
 3 THE CHAIRMAN: Whose responsibility is
 4 it to enforce that? I mean, I know it's not
 5 yours.
 6 MS. UHLE: This came up during the
 7 discussions. Once it's constructed, it was a
 8 condition of the site plan approval. I mean,
 9 this sounds ridiculous, my department doesn't
 10 have any authority to enforce that now because
 11 we had have nothing to do with the traffic
 12 circulation on site there, but because that was
 13 specifically a condition of the Planning Board
 14 approval, once they get their permit and do
 15 construction, in fact, this was something that
 16 we did had to explain to the applicant, that
 17 because it was a condition of site plan
 18 approval, that we would have authority to
 19 enforce it. Right now, until somebody pointed
 20 it out to me on the photograph, I was not aware
 21 of it. I can talk to the Police Department, I
 22 can talk to the applicant, but I'm not quite
 23 sure how enforceable that is.
 24 MR. WEST: They should start weaning
 25 themselves off of it now.

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 2 MR. IANNACITO: When you go in the
 3 back, the parking spaces are not striped,
 4 there's no handicapped spot. So when we do the
 5 project, we are going to stripe it, we are
 6 going to do a designated handicap space.
 7 MS. UHLE: Also, did we change
 8 circulation with regard to that particular --
 9 MR. IANNACITO: No. It's still two
 10 way. Technically, that's the only way in and
 11 out of the site. They have the pass through in
 12 the back that's been there for many years, but
 13 anyone can put up a fence and say, you can't
 14 cross over into my property tomorrow if they
 15 wanted to. The entrance on White Plains Road
 16 is the only access to the back of this
 17 building. Right now, they go in there and they
 18 cut through the bank or through the --
 19 MS. UHLE: You will have to remind the
 20 applicant that a condition of the original
 21 Planning Board approval was that there not be
 22 any parking there and that that be posted, and
 23 that because it was a condition of the Planning
 24 Board approval, we will have authority to
 25 enforce that.

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 2 MR. IANNACITO: Enforce it. Okay.
 3 MR. TUDISCO: Mr. Iannacito, just out
 4 of curiosity, I know this was discussed before
 5 the Zoning Board exhaustively, but is there an
 6 easement or is it just kind of like a practice
 7 that's been going on?
 8 MR. IANNACITO: The only easement that
 9 exists is this dotted easement right here, and
 10 it's basically just enough for backing up and
 11 out. This dotted area is the only easement
 12 that exists. Right now everyone is able to
 13 drive right through here. If they put a fence
 14 here -- the bank is not able to put a fence on
 15 the easement, but they could put a fence around
 16 it.
 17 THE CHAIRMAN: We did the public
 18 hearing; right?
 19 MR. NEMECEK: Did we do the public
 20 hearing?
 21 MS. UHLE: I don't think so. I didn't
 22 write it down.
 23 THE CHAIRMAN: That's why I'm asking.
 24 So I make a motion to open the public hearing
 25 on this application, 19-09, Keller Williams

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Realty Group.

MR. NEMECEK: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MS. UHLE: There is someone here, I think.

THE CHAIRMAN: Please come forth.

MR. CAMILLONE: Hi. Good evening. My name is Nick Camillone, and I resided at 774 Post Road, which is the corner behind the lighting store, I've been there 77 and a half years. I see one minor problem and I see one major problem.

The minor problem is, in my building I don't have an elevator. So I really have a tough time trying to rent the upstairs. Elevators, I think, should become part of planning in our town in this modern age. There's many handicapped people, and it's a critical issue I think. So it's great that they're building. I think it's a three story building; right? So it's kind of difficult to get somebody up on the third floor. I've had several people look at it, whether it's a

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weight problem or a leg problem or a physical problem, you need an elevator.

My second problem is the parking problem. They were given a variance or they built a wall on Reynolds Place. There was a no parking sign on Reynolds Place and there's still one now at the bank corner. The other sign was taken out and it was reversed so nobody could see it. They built the wall, they put blacktop down and took the sign and threw it away. I have photographs of that.

The next one is, that's a critical issue when you guys say, how do you get down. I mean, I back my car out, sometimes you can't even get your car out. I have a little driveway there that I park, you can't even back out. There's people coming out of the bank, and I know there's a problem, they sneak across the street and park over in Acme's space, they park over in Lord & Taylor. The only problem is, I'm sure there's going to be more people there, so it will accommodate more people, they have to have more cars. I have no problem with anybody expanding, but if they're going to do

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that, the requirements should be met. Where are you going to put the cars? That's my issue. Thank you.

THE CHAIRMAN: Thank you for your comments.

MR. IANNACITO: I could respond to some of those.

THE CHAIRMAN: Sure.

MR. IANNACITO: The property on Reynolds is a different property. He's not supposed to be parking in the street. It's owned by the same person. He shouldn't be parking out in the street, and I think that's probably something that he has to deal with the Highway Department on. Part of the condition was that he had to eliminate that parking space out there. I just don't think he had his final inspections yet, that's probably why he's still parking out there.

The building will have an elevator. We're putting an elevator in.

What was the third one? Oh, the parking. We've talked about the parking. This project started about four or five years ago,

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it was much larger, and we reduced it down to where there actually was a nett increase of zero proposing between what we're proposing and what's existing as far as the square footage of the building. We understand that the parking is a problem there, and we did address it by reducing the scope of work on this building many times.

THE CHAIRMAN: Correct. Thank you. We appreciate the comments about parking, but the application that's in front of us right now is really just about the facade. That was all addressed quite awhile ago.

So that being said, I make a motion to close the public hearing on Application 19-09, 760 White Plains Road.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: I have no more comments. The faster we approve this, the faster we get those people to stop parking in the middle there. So I make a motion to approve this application, 19-09 Keller Williams

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Realty, 760 White Plains Road.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Thank you, Mr. Iannacito. Next application is 19-05, 2 York Place.

MR. BETTINO: Hello.

THE CHAIRMAN: Good evening.

MR. BETTINO: I'm Lorenzo Bettino.

This is going to be my wife and my home. It's a new single family construction and it's at 2 York Place. This is now a vacant lot.

We've been in the community living not too far away, maybe a quarter of a mile away from this lot for 22 years, raised our three kids, and now we wanted to move out of Bronxville and move into Eastchester. I got very lucky when we found a vacant lot. I couldn't believe my luck. I found this beautiful, wonderful flat lot at 2 York. As I said, my kids are now gone, they're in college, and so my wife and I wanted to stay in the community, we want to stay here, we want to be

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here. So we bought the lot, and we wanted to build something that was very much in keeping with the rest of the community, the homes around it. The objective was to be very understated, to be very traditional, very classic with a couple of little modern touches, but again, very much in harmony with the other homes in the vicinity.

This is Lou Demasi's, who is the architect here, his design. He did a great job, I thought. The color scheme is white and black trim, white AZEK. The siding is HardiePlank siding, arctic white. It's GAF HD roofing in slate gray. Anyway, we think it looks very nice.

These are the elevations for the left and right side of the home and the rear elevation. I have the layout, but I'm not sure you want to see that.

THE CHAIRMAN: Sure. You're doing such a good job, just run us through the layout.

MR. BETTINO: Okay. This is the first floor layout. Two car garage with carriage

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style doors, and so it's a very open layout, kitchen and family room, small fireplace, study, but nice, open kind of layout for when the kids come home.

Second floor where the bedrooms are, four bedrooms. We have three kids, so we can accommodate them if and when they show up.

I believe it meets all the size requirements. I should say, Dan Sherman did the work on the site plan for landscaping. The ARB had some nice things to say about that. I think he did a great job as well. They really liked it.

One point that I would like to mention that was asked about at the ARB, they wanted to see -- they wanted to know where the condensers were going to be. They're going to be here. They wanted to know what we were going to do about screening, and we had actually anticipated that on this side there are skip laurels 4 to 5 feet high that will totally screen that entire side to Josh, our neighbor's house.

Mike Stein is here from Hudson

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Engineering and will take you through the site plan.

THE CHAIRMAN: We'll speak to him. Thank you.

MR. STEIN: Good evening. Michael Stein, president of Hudson Engineering, the engineers for the project. Just to briefly go over the storm water management plan, I know we received a copy of the memo from Kellard Sessions this morning. We had gone through it. Let me first kind of go over the storm water management plan, and then I'll address anything in Kellard Session's memo.

We did impervious calculations for the new house, driveway, walkways. We provided a storm water management system on site to fully infiltrate all the storm water that's collected for up to the 50 year storm per the town's code. Prior to doing the design, we actually went out and did percolation and deep hole testing to confirm depth of ground water, depth of ledge rock, and to confirm the rate of which the soils absorb the water. So that's the basis of what the storm water management design

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1 is on.

2 The landscape architect's plan, I know
3 from reading through Kellard Sessions' memo,
4 there's, I guess, a couple of trees on our plan
5 that weren't reflected to be removed on the
6 landscape architect's plan. Overall, the
7 comments through Kellard Sessions' memo are
8 all -- everything is addressable without issue.
9 We've worked with their office for many years.

10 THE CHAIRMAN: Okay. But the memo we
11 got from Kellard Sessions, which I can't seem
12 to find, is dated today; correct?

13 MR. STEIN: Yes. Correct.

14 MS. UHLE: Yes.

15 THE CHAIRMAN: I'll find it. It's
16 dated today; correct?

17 MS. UHLE: Yes. Unfortunately, we
18 just received the memo today, so you guys just
19 received it tonight at the meeting.

20 I did want to say, the first four
21 comments are not really applicable because I
22 think Joe did not receive the complete
23 application package. He was missing some of
24 the elevations, etcetera. I have to remind

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1 you, Michael, Joe should receive a full
2 application package.

3 MR. STEIN: Yes.

4 MS. UHLE: Right now I ask applicants
5 to get things directly to our engineer. I
6 think we're going to change that policy so that
7 I could see what's being forwarded and I'll
8 just forward them.

9 So the first four comments don't
10 apply. There are quite a few other ones here
11 though. I know you're just seeing it for the
12 first time tonight.

13 MR. NEMECEK: One concern I have is,
14 just the mention of Crawford Street. I know a
15 number of -- probably about four or five years
16 ago we dealt with a subdivision of
17 properties -- I'm forgetting the name of the
18 street, it's an adjacent street -- and --

19 THE CHAIRMAN: Deerpark, Deerfield,
20 Deer something.

21 MR. NEMECEK: Yes, exactly. At the
22 time, it was a major concern. Again, it was in
23 the wake of a number of very heavy storms that
24 we had had in the previous few years, which

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1 we've been spared these past several years. I
2 recall at the time, that there was a citation
3 to a Crawford Street drainage report that
4 indicated that this was a particular -- I
5 wouldn't call it a flood plain, but it was a
6 particular area of concern when it came to
7 storm water management. Just leafing through
8 the Kellard Sessions' report, I don't see any
9 reference to that Crawford Street --

10 MS. UHLE: There was a Crawford Street
11 drainage study that was dealing with very
12 specific properties and at a very particular
13 portion of Crawford Street.

14 MR. NEMECEK: That particular portion,
15 would it encompass an area that might be
16 affected or that would affect this building?
17 That's where I'm going with this.

18 MS. UHLE: Okay.

19 MR. NEMECEK: Is there any overlap
20 there? Because we have had in the past -- I
21 would say the past five years we've been pretty
22 fortunate, we haven't had these really heavy
23 storms, but back I think 2011, 2012, 2013 we
24 had a number of what would be classified as

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1 50 years storms within rapid succession. I
2 believe we had four or five of them within
3 about two and a half years. Again, it was at
4 that time that we were dealing with a
5 subdivision on Deerfield, and a very well
6 organized group of local residents who really
7 had concerns in particular about the
8 development and it's impact on the storm water
9 management. I remember the citation to this
10 Crawford Street, and I remember thinking at the
11 time, well, Crawford Street is a few blocks
12 away, they're not so directly impacted.
13 Crawford Street is right here. I don't know
14 whether, as Margaret said, we're dealing with a
15 different section of Crawford Street that may
16 not be --

17 MR. STEIN: That's why I do emphasize
18 we're taking in the runoff from the entire
19 square footage of impervious area and a hundred
20 percent infiltration. So all that water is
21 completely being taken offline. Whereas
22 before, even though it was grass, you did have
23 a portion of that, 70 percent, 50 percent, was
24 running off the property. So there is a

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2 substantial reduction coming off the property
3 with the development.

4 MR. PULASKI: I think, Phil, what an
5 opinion was at that time was that there was a
6 soil strata such that you had a rather
7 impervious top soil strata which would get
8 muddy very fast, but, yet, underneath that was
9 something that drained. So if you tested where
10 the dry well probably goes, it drained, and so
11 that was one of the comments. I think the long
12 study had something to do with just taking
13 water from way uphill and getting it downhill
14 and to the sewers and not really addressing the
15 soil of the sites.

16 THE CHAIRMAN: So when you do tests,
17 percolation tests, you do a number of them?

18 MR. STEIN: Yes. We actually
19 performed three.

20 THE CHAIRMAN: Can you point out where
21 they were taken?

22 MR. STEIN: We had one in this area,
23 one in the rear corner, and one up front.

24 THE CHAIRMAN: The tanks are right in
25 the front; right?

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2 MR. STEIN: The tanks follow the one
3 in the front.

4 THE CHAIRMAN: Okay. So we have to do
5 the public hearing. Let me just open the
6 public hearing.

7 I make a motion to open the public
8 hearing on this application, 19-05, 2 York
9 Place?

10 MR. NEMECEK: Second.

11 THE CHAIRMAN: All in favor.

12 (All aye.)

13 THE CHAIRMAN: Comments?

14 (No comments.)

15 THE CHAIRMAN: No. So I think we're
16 going to ask that you pick up some of the
17 comments that were put forth today by our
18 consultant, redo the plans and come back to us.
19 Once we're sure he's seen the plans on last
20 time, he's reviewed them, he gives his final
21 okay, and we'll continue. So I think
22 considering that the comments that are going to
23 go forward are mainly going to be limited to
24 those types of issues, I'm going to close the
25 public hearing since there doesn't seem to be

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2 any interest. You okay with that, Mr. Nemecek?

3 MR. NEMECEK: I'll second that.

4 THE CHAIRMAN: I make a motion to
5 close the public hearing on this application,
6 19-09, 2 York.

7 MR. NEMECEK: Second.

8 THE CHAIRMAN: Well done. All in
9 favor.

10 (All aye.)

11 THE CHAIRMAN: I think you got the
12 gist of what I said.

13 MR. NEMECEK: If you could, whether
14 it's mentioned in any of these papers or not,
15 maybe Margaret can help you. It may be much
16 about nothing.

17 MS. UHLE: I don't think it relates,
18 but it's absolutely appropriate to look at it
19 and don't take my word for that.

20 MR. NEMECEK: I just want you to look
21 at it, and I want Joe Cermele to look at it as
22 well, and just provide me with a certain level
23 of assurance that there isn't going to be a
24 problem that was previously identified.

25 MS. UHLE: Again, I think that has

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2 more to do with the capacity of the existing
3 storm drains, and this is an issue where
4 somebody is putting them into dry wells.
5 That's a very valid point. We'll get you a
6 copy of that.

7 MR. NEMECEK: It looks like you've
8 done a very thorough job, but we just want to
9 be comprehensive here.

10 THE CHAIRMAN: I think Mr. Pulaski
11 probably had it right. Thank you. Have a good
12 evening.

13 MR. NEMECEK: He studies these things
14 in the middle of the night. He gets up and
15 reads about soils.

16 MS. UHLE: For the applicant I just
17 want to clarify because in this case you're not
18 approving this with a condition, you're saying
19 because of the number of comments you would
20 like them to come back?

21 MR. NEMECEK: Yes.

22 THE CHAIRMAN: Yes.

23 MS. UHLE: Okay.

24 THE CHAIRMAN: Understood?

25 MR. STEIN: Not a problem.

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THE CHAIRMAN: Good. Thank you.

MR. NEMECEK: Thank you.

THE CHAIRMAN: We'll see you next month.

Next application 19-08, 14 Interlaken.

MR. IANNACITO: Good evening, again.

My name is John Iannacito, I'm an architect, and I'm representing Mr. and Mrs. Constantino, the owners of the subject property. We are proposing the construction of a new single family residence at 14 Interlaken Drive.

Here is the site plan showing the location of the new residence, a new two car garage, a covered porch along the front and wrapping around the side, and a pergola at the rear over the proposed patio.

I'll quickly go through the plans.

Here's the first floor plan. The covered porch along the front and side here, a double height entrance foyer, dining room on one side, study/office area on the other, and then in the back will be an open room containing kitchen, dining area, family room.

The second floor, two story high entry

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foyer, master bedroom suite on one side, and three bedrooms and two baths on the other.

Here is the front elevation. Two car garage, open porch, two story framed residence.

Street-scape drawing showing the existing and proposed street facades. Here are photographs of the existing residence and two adjacent properties. Facade of the existing house in relation to the existing properties. The new residence in relation to the existing properties; the scale and the height of the existing properties.

Drainage plan, which was submitted to the town's consultant. I have Mike Stein here from Hudson Engineering.

We also submitted a landscape plan which was done by Dan Sherman, and it was presented to the Architectural Review Board. There were no comments about the landscaping around the house, but there were some comments about some existing trees in the right-of-way, which I'll go through in a second.

Here is a rendering of the front of the house showing both materials. The wall

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surfaces will be a HardiePlank siding in a pearl gray finish, stone veneer at the front door, and the base of the garage and base of the porch will be a granite with a mixed gray finish. The windows will be vinyl clad in a white finish. The trim boards will be painted AZEK in a white finish. Columns will be painted AZEK in a white finish. The gutters and leaders will be aluminum in a white finish, front entrance door will be fiberglass in a black finish, and the overhead doors will be fiberglass in a white finish.

The application was presented to the Architectural Review Board on April 4th. They had two recommendations:

One was to show the exterior light fixtures on the elevations, and we did that. If you look at the elevations that were submitted, the light fixtures are shown here at the rear entry doors, the front entrance door, and on either side of the garage and at the side entrance door to the mudroom.

The second comment was to review alternate locations for a curb cut and for the

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dry well system to try to save the two red oaks that are in the right-of-way. We did meet with the Highway Department at the site. The owners hired arborist. The arborist determined that the trees were not healthy, so they will be removed. We spoke to Hector at the Highway Department about it, and he agreed that the trees can be removed at the owner's expense, and he is requiring us to plant two new red oaks in the right-of-way.

MS. UHLE: Did the arborist look at the second tree or only the one tree.

MR. IANNACITO: He only looked at the one tree. The tree that's in the middle of the driveway is the main one.

THE CHAIRMAN: Can you put it back up there and point out the two trees you're talking about on the site plan, please.

MR. NEMECEK: This is a big issue for me because the character of that neighborhood really is -- I often walk down that street. I live right over here, but I'll go for a walk. I've commented before to my wife, who I often walk with, that one of the real beautiful

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1 things about that street is that big canopy of
 2 tall oak trees. If there is any doubt at all
 3 about the health of those trees, I do not want
 4 to see those trees come down. I don't.
 5 Certainly, if the town -- and these are on the
 6 right-of-way -- subscribes to the belief that
 7 the trees are a health hazard, that they're in
 8 such a state that they cannot be salvaged, that
 9 they ought to be taken down right now, that's
 10 one thing, but if there is any way to salvage
 11 those trees -- I think it's a great loss when
 12 you lose a tree of that age, and I think it
 13 detracts from the entire neighborhood when you
 14 do something like that. I need to be really,
 15 really convinced because I think that's an
 16 integral part of that neighborhood.

17 MR. IANNACITO: The arborist went out
 18 there. When you look at those two trees that
 19 are in front of this house, at about 5 feet off
 20 the ground they split into 3 or 4 different
 21 trunks. So the main concern is where the
 22 trunks split. So the arborist did probe in
 23 there, and the probe went in pretty deep. He
 24 said there was a lot of rot inside that trunk.

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1 He said the tree would continue to split and
 2 fall.

3 THE CHAIRMAN: That's tree number 1;
 4 right?

5 MR. IANNACITO: This tree right here.

6 THE CHAIRMAN: That's one of the two
 7 trees that he made that comment about.

8 MR. IANNACITO: He didn't probe the
 9 second tree, but he said the second tree was
 10 probably in worse shape than the first, and
 11 Hector also agreed with that.

12 MS. UHLE: I spoke to the Highway
 13 Superintendent today, and I do think we need
 14 some more definitive information from our own
 15 Highway Superintendent and from the town's
 16 arborist. In my speaking to the Highway
 17 Superintendent, it appeared to me, but it was
 18 hard to have him articulate this as well as I
 19 would have like him to, with the first tree
 20 because of the report the applicant's arborist
 21 prepared, and then I believe the town's
 22 arborist looked at that tree but we haven't
 23 gotten a report from him yet, that that one
 24 appeared to be in decay. What the Highway

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1 Superintendent said to me, if no one was
 2 proposing to build a home on that property, we
 3 would monitor the tree. We wouldn't take it
 4 down immediately, but it would be something
 5 that would be monitored, and we would most
 6 likely need to take it down sooner rather than
 7 later.

8 The second tree, my impression from
 9 the Highway Superintendent was because of the
 10 age of the tree and the location of the tree,
 11 when you consider that in relationship to the
 12 proposed CULTEC chambers, the trenching that
 13 might have to be done for utilities,
 14 construction vehicles on a small site, that
 15 it's very hard to protect and save a tree.
 16 Usually tree protection is out to the trip line
 17 of a tree, which would take up half the
 18 property probably. Again, he reiterated to me
 19 that if there was no construction going on, he
 20 would monitor those trees carefully. I think
 21 the first tree in the driveway, you know, he
 22 conceded probably has some issues. The second
 23 tree, I don't think he had confirmation from
 24 the town's arborist with regard to the

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1 condition of the tree, but he just felt sort of
 2 regardless any sort of construction activities
 3 would likely put it over the edge.

4 You have a number of other engineering
 5 questions, you may want to ask to have a little
 6 more of a definitive comment from the Highway
 7 Department.

8 THE CHAIRMAN: Yes.

9 MR. IANNACITO: We tried to get a
 10 letter from the arborist. He sent us all the
 11 information in an e-mail, so we tried to get a
 12 letter from him today on his letterhead.

13 MS. UHLE: The e-mail was forwarded to
 14 the --

15 THE CHAIRMAN: Is that the town
 16 arborist you're speaking of?

17 MR. IANNACITO: No.

18 MS. UHLE: That's the applicant's
 19 arborist.

20 MR. IANNACITO: I think Hector did
 21 bring out an arborist.

22 MS. UHLE: Hector sent an e-mail.

23 THE CHAIRMAN: That's tree number 1;
 24 right?

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MS. UHLE: The Highway Superintendent provided an e-mail this afternoon, which is included in your package. He says: "Based on the location of the new driveway, garage, and storm water system, the removal of the two town owned red oak trees it needed in order to construct the proposed knew home. Therefore, the property owner may remove the two oak trees."

THE CHAIRMAN: That's not an observation on the condition of the trees.

MS. UHLE: That's correct. That's where I think you might need a little more clarification.

THE CHAIRMAN: So we can we get our town arborist to opine on both of them in writing?

MS. UHLE: Yes. Yes.

THE CHAIRMAN: That's what I think we need to do. So this gentleman wants to talk about storm water, and I think we'll let him do that, and then we'll move on to the public hearing on the application.

MR. IANNACITO: This is Mike's plan.

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MR. STEIN: Again, same as the other site, we had percolation deep hole testing on the site; one test hole in the rear and one test hole in the front. The test hole in the rear, similar to what you were discussing before about Crawford, there was basically a clay layer which was holding the ground water in. So at 36 inches below grade, we encountered ground water. You were speaking before on 2 York about the Crawford drainage report and about the infiltration if the water was being held in the upper layers.

THE CHAIRMAN: But is it the same geotechnical strata?

MR. STEIN: No. Well, from what we saw, there's clay on the site, and it seems that there was probably a clay lens in the rear of the property that's not letting it fully drain through. In the rear of the property, we encountered ground water at 36 inches. In the front of the property, we went a hundred inches without encountering ground water.

THE CHAIRMAN: That's good.

MR. STEIN: With that said, we had

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percolation tests run both in the front and the rear, and because we had a slow percolation rate of half inch per hour, we made a determination that we would size the system for a hundred year storm just to add a factor of safety to it.

MR. PULASKI: Is that why this system is so large? It looks large on the plan.

MR. STEIN: That's basically exactly it. Because we had a slow percolation rate, that's what dictates it.

THE CHAIRMAN: But it's at the front.

MR. STEIN: Yes. It's a different type of system. It's not a CULTEC system. It's more like a milk crate. These crates all get stacked up and basically installed along each other.

THE CHAIRMAN: They're shallow at the front; is that right?

MR. STEIN: I believe the units we're using are 30 inches high. Because it's such a slow perc rate, we need to --

THE CHAIRMAN: The good rate was in the back you said, I think?

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MR. STEIN: No. Half inch per hour both in the front and the rear, except we had high ground water in the rear, no problem with ground water on the front.

MS. UHLE: You also received a review memo from Joe Cermele this afternoon, so you're seeing it for the first time this evening.

THE CHAIRMAN: You took care of what I was just about to say.

MS. UHLE: One thing I would like to say too again, the first four comments are not really relevant because we received some information that the applicant hadn't forwarded to the engineer, but the remaining comments are all valid.

THE CHAIRMAN: Okay.

MR. STEIN: Again, same, everything is addressable and we have no concerns.

THE CHAIRMAN: Okay. So we're going to do the same thing.

MR. STEIN: We'll be working on this in time for the submission for the next meeting.

THE CHAIRMAN: That's perfect. Thank

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you. Let's do the public hearing. Any more comments on site plan or architecture?

MR. PULASKI: I have a question for you. On the landscape plan, your landscape plan, L1 --

MR. IANNACITO: I know nothing about landscaping.

MR. PULASKI: The line of trees on the left side of that plan, in my understanding of the drawings, those trees are on the other side of your property line.

MR. IANNACITO: It looks like they are, yes. If these are new trees, then they need to be moved to this side of the property line.

MR. PULASKI: I know there's a wooden fence, but that wooden fence, according to the survey, appears to be over a couple of feet from what the survey is saying is the property line, if I'm reading it right. Maybe I'm not. I'm confused and I wrote down the question.

MS. UHLE: It looks like you are and I hadn't noticed that before. It's a little deceiving because of the where the fence

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location is. I think the location of the fence and the trees -- that's not even on the corner.

MR. IANNACITO: The fence is on the adjacent property.

MS. UHLE: It's on the adjacent property. Okay.

MR. IANNACITO: I think when we put those trees there, he should have them on this side of the property.

MR. NEMECEK: Have them on his side of the property.

MR. IANNACITO: There will be a space between the trees and the fence is already there. This would be very accurate.

THE CHAIRMAN: How did you see that?

MR. PULASKI: Just because of the way it seems to swing in. It seems to swing in here. It doesn't make sense.

MS. UHLE: Another thing would be to get permission from the neighbors to do that. Have Dan move them over.

MR. PULASKI: I had a question on the width of the curb cut. You have 20 feet --

MS. UHLE: 20 feet is the maximum

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width of the driveway. 22 feet is the maximum width of the curb cut.

MR. PULASKI: Okay. That's my questions.

THE CHAIRMAN: I think we're done with the site plan; right? We got you.

I make a motion to open the public hearing on this application, 19-08, 14 Interlaken.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Same motion, close the public hearing on the same application, 19-08, 14 Interlaken.

MR. NEMECEK: Second.

THE CHAIRMAN: Same as last, if you would update everything per --

MR. NEMECEK: You have to do the all in favor.

THE CHAIRMAN: Come back and we'll do this again.

MR. NEMECEK: Jim, we seconded it but you didn't --

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THE CHAIRMAN: I didn't close it?

MR. NEMECEK: You didn't.

THE CHAIRMAN: All in favor.

(All aye.)

MR. IANNACITO: So we're coming back with the additional information on drainage and additional information on the trees. As far as the house, do we need to do anything further with the house?

MR. NEMECEK: The only thing I would urge you to consider if somehow you could do something either with the water infiltration or even with any design on the house that would somehow save a tree or affect the decision making on a tree in a positive way. Consider it, that's all. Maybe they're beyond saving. I really think that it would be a significant loss for that neighborhood to lose two trees of that vintage. I know you could plant new ones, but those are a hundred year old trees.

MR. IANNACITO: Correct. I agree, it would be great to save the trees. The issue here is that we tried to get the dry wells to work at the back of the building, they don't

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work. They're just not going to work at the back of the building, so we had to put them in the front. The dry wells are going to significantly impact that tree on that one side. Like I said to the ARB, if the town is willing to waive the drainage issue here, we're happy to do it. I looked at it with Hector to try to tie into the sewers out in the street, and he was willing to have us put a trench to a sewer instead of putting dry wells on the property, but we couldn't find a sewer anywhere near this property. So there really is no other place to put dry wells on this property except for that front. We're happy to keep that one tree, but the dry wells will definitely impact it during construction and after construction. The one that's in the driveway, I mean, we tried looking at flipping the house, the other tree is right in the middle of the driveway. We can't shift any further over to the side yard because we would need variances. So, I mean, we did try to save the trees.

Now when we had the arborist come out

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and he told us the trees are not in great shape, I mean, the town is going to have to factor that in also. I mean, we're going to leave trees that may die in two years and try to work around all these trees to try to save them for two more years? If we can, we'll try.

MR. NEMECEK: 15 years maybe.

MR. IANNACITO: We could do a driveway around the tree and have an odd driveway curb cut into the house.

MR. NEMECEK: Okay. All I'm saying is, try to keep an open mind. It may sound silly up here that I'm making such a fuss about a couple of trees, but I really admire that about that particular neighborhood. I've commented for years in going through that neighborhood, how beautiful that canopy of trees is and how it makes the entire neighborhood. I see in Eastchester people are cutting down trees left and right. I think it's ridiculous because everyone's house looks bare in front, and it's not good for the environment. There's a whole host of problems that you create when you do that. In this

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particular area, it's integral to the character if the neighborhood, I believe.

MR. IANNACITO: We could leave the one tree on one side, and I think if you look at the landscape plan, he did leave that one tree in place.

MS. UHLE: Again, I think you need to look at the town's arborist's report.

MR. NEMECEK: It may not be possible. If it's not possible, then --

MR. IANNACITO: Let's see what the arborist says, and then we can go from there.

THE CHAIRMAN: If we could keep the tree, we would like to keep the tree.

MR. NEMECEK: Thank you.

THE CHAIRMAN: The next application is 19-06, 22 Hunter Drive.

MR. BRANDES: Good evening, Mr. Chairman, members of the board. I'm Leonard Brandes, Brandes Architects. I'm here representing Mr. and Mrs. Trolio for an alteration that they would like to do to their home.

The existing home is a split house,

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and it's very obviously a split design from the Sixties, and they really just want to change it. The neighborhood itself is going through a lot of changes right now. People want to get more old style homes instead of the more modernistic homes with the short windows. They have issues in the bedrooms now, the windows are very short. You can't get much light into those areas. So we're trying to redesign this house and break it up into a different format.

Also, right now the living room area is dealing with interior heights of 8 feet and it goes up to like 16 feet. It's very sloped, very uncomfortable space to be in.

So by creating a new design for the house, we're trying to create an enclosed porch in the front. The existing front porch is there, front section here. We're just adding a small section here of a little less than a hundred square feet of porch in the front, covering it, changing all the roof lines, adding a lot of details to the house, which it didn't have before.

I do have photographs of the house

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1 itself. You have the photographs of the house.
2 The deck is all existing. There's nothing
3 we're doing with the deck itself. We're just
4 changing basically the exterior of the house.
5 The stonework, we're getting rid of the brick
6 that goes way up here now. We're going to
7 bring that down below the window and using
8 stone facing. We're going to be using the
9 vinyl siding, which is the heavy duty siding
10 over here. I couldn't get the color from the
11 manufacturer just yet, but that's the color
12 we're using for the areas on top. I'll bring
13 that back too. So we're reusing on top here
14 these little curves. We're going with a
15 different color. We have multi color and
16 working with the colors to bring everything
17 together, bringing in the greens and the stone
18 and everything into one format.

19 Elevation wise, the comments that we
20 had from the Architectural Review Board were
21 two basically:

22 One is that I had a little extra trim
23 that was in the middle up here on top of these
24 archways. They wanted those removed. They

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1 wanted it a little simpler. So we took that
2 out.

3 Also, on the rendering that you now
4 see, it was missing the shutters, and we added
5 the shutters on to the rendering. Other than
6 that, they really didn't have any comments in
7 terms of that.

8 I'm up for comments.

9 THE CHAIRMAN: It's an entirely new
10 house.

11 MR. BRANDES: It's to make it a new
12 house and make it more presentable on the
13 street is what they're looking for. They've
14 already done a lot of work on the inside of the
15 house. They changed all the trim and moldings
16 on the interior of the house before. They just
17 want to bring the inside of the house to the
18 outside now.

19 THE CHAIRMAN: Is any of the existing
20 still remaining, like any of the walls?

21 MR. BRANDES: The only wall we're
22 opening up is in the living room -- I mean the
23 kitchen to the dining room. The only wall
24 we're opening up is over here, opening up the

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1 kitchen and the dining room together. Other
2 than that, we're just raising these walls so
3 we'll have 10 foot ceilings, a flat 10 foot
4 ceiling in the entryway and the living room,
5 the dining room as well. We're going to have a
6 cathedral ceiling coming on the entry so that
7 it lines up with the entry to the half stair
8 that's coming over here. So that area lines up
9 a little better. So the living room area and
10 the dining area is going to now have 10 foot
11 ceiling going straight, and then the entryway
12 is going to have this ceiling raised up above
13 beyond.

14 Other than that, we're not changing
15 anything on the interior of the house. It
16 still has the same bedrooms. We are increasing
17 the windows. It's the same width of the
18 windows, we're just bringing them lower. That
19 will also meet the safety code. They're all
20 going to be egress windows in today's code,
21 which is doesn't meet today.

22 MR. PULASKI: Your siding is all
23 vinyl?

24 MR. BRANDES: It's all vinyl siding.

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1 I'll pass that around because it's not the
2 standard vinyl.

3 THE CHAIRMAN: What's heavy duty
4 vinyl?

5 MR. BRANDES: The trim that we're
6 using is AZEK trim so that it does get a five
7 quarter by four and a five quarter by six trim
8 around the windows. So it will not look like
9 vinyl siding with the little thin corner bead
10 that they normally come with. This will look
11 like a shingled house. You would actually have
12 to go up there to tap on it to see if it's
13 shingle or not.

14 THE CHAIRMAN: It looks like shakes.
15 Let me just do the public hearing then.

16 I make a motion to open the public
17 hearing on Application 19-06, 22 Hunter.

18 MR. PULASKI: Second.

19 THE CHAIRMAN: All in favor.
20 (All aye.)

21 (No comments.)

22 THE CHAIRMAN: Motion to close the
23 public hearing on the same application, 19-06,
24 22 Hunter Drive.

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MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Is there any change in impervious? I didn't look.

MR. BRANDES: Excuse me.

THE CHAIRMAN: Is there any change in impervious such that you need to put in storm water --

MR. BRANDES: We're adding a little less than a hundred square feet of impervious surface.

THE CHAIRMAN: Okay.

MR. NEMECEK: That's where the porch is; right?

MR. BRANDES: That's from the covered porch. Right now the roof is actually covering to here right now, but we're just adding that little porch area. It's less than a hundred square feet, so it does not require additional --

MS. UHLE: Actually, I think it's 50 square feet. That's always evaluating with the building permit review process.

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THE CHAIRMAN: Okay. So I don't have any other comments. So I make a motion to approve this application, 22 Hunter Drive, Application 19-06.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

MR. BRANDES: Thank you very much.

THE CHAIRMAN: Thank you for your speedy presentation. Grab your shakes too before you go, please.

The next application is 19-07, 971 California.

MR. IANNACITO: Good evening, again. My name is John Iannacito, I'm an architect, and I'm representing Mr. and Mrs. Hynes, the owners of the subject property. We are proposing additions and alterations to the existing single family residence located the 971 California Road.

So the proposed scope of work will include the construction of a covered porch and a second story dormer at the front of the existing residence, which is highlighted here;

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a two story addition and a concrete deck at the rear of the property. We're also proposing interior alterations first and second floor, and site alterations including new walkways, widening of the existing driveway, and a new patio or expansion of the existing patio at the rear of the property.

I'll go over the plans quickly. So the main part of work on the first floor is the living space here. We're going to remove many of the walls and create one big, open family room kitchen area, and this would be the new covered porch. The second story here is just a reorganization of the existing bedrooms. Second floor, same thing, an addition at the rear and reorganization of the existing bedrooms on the second floor.

Here are the exterior elevations. The existing and proposed elevations. So basically on the front it's really just the front porch and the new dormer, and then reconfiguration of the windows over the garage. The side elevation, reworking the roof here and then this is the addition beyond. Then the rear is

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where the bulk of the addition is, so reconfiguration of the roof here and two story addition with sliding doors from the basement area.

Here is the a rendering of the proposed facade. We're going to redo all the siding on the house. The new siding will be HardiePlank siding in a slate gray finish. The new roof shingles will be asphalt in a charcoal finish. The trim boards will all be AZEK painted white. The stone veneer at the porch is existing and we will match existing, rework the stone and match existing. The front door will be fiberglass in a white finish. The overhead door will be white in fiberglass.

That's basically it. I have samples of the roof shingles if you want to see them and the stone.

THE CHAIRMAN: Sure. Since you brought them, we'll take a look.

MR. IANNACITO: This is the shingle, the stone, the siding, and the AZEK trim. Pretty standard stuff.

THE CHAIRMAN: It's very nice.

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MR. IANNACITO: The project was presented to the ARB on April 4th, and the one comment was to show the lighting on the exterior elevations.

THE CHAIRMAN: That seems to be their comment this month.

MR. IANNACITO: Every door has a light fixture.

THE CHAIRMAN: Did you not show them previously on other jobs and you've just been getting away with it?

MR. IANNACITO: Sometimes I remember to put them on and sometimes I don't.

MS. UHLE: They're required on exits anyway. I don't think they actually made it a condition, they just always ask. They didn't say you had to do it.

THE CHAIRMAN: Let me do the public hearing.

I make a motion to open the public hearing on this application, 19-07, 971 California.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

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(All aye.)

(No comments.)

THE CHAIRMAN: Close the public hearing on 19-07, 971 California Road.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: I can't see anything more to say, other than it looks good again.

Another John Iannacito creation in the Town of Eastchester.

MR. PULASKI: Couple of comments I have is, I think this is the third application tonight that porches are being added. Is there a sale going on?

MR. IANNACITO: I think it's a trend now. It actually brings the scale of the house down, so it's good.

MR. NEMECEK: And you could sit on your porch and look at your big trees.

MR. IANNACITO: Or small, new ones.

MR. PULASKI: In reviewing the drawings, there were a couple of things I was picking up. You could see how you're

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developing the basement, you have the sliding doors in the back, the topo, the property seems to be sloping from the road back, then as you get to those sliding doors, it also seems to come down this way. My only recommendation is to make sure your drainage is positive, that you don't have anything backing up into your -- if you have a really heavy rain where it kind of like floats on the grass --

MR. IANNACITO: We are going to put drains in the new patio, which is going right outside this door, and we do have four new dry wells going in this back corner.

MR. PULASKI: Yes. Yes. The other observation, and I know you'll do this expertly, is you're doing your decking on top of a basement roof, so you want to get that right.

MR. IANNACITO: Yes. That's what the client wanted.

MR. PULASKI: It makes sense. You just don't want to have to pick that decking up to prepare your roof after. I don't see any details, but I know you know how to do them.

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THE CHAIRMAN: Thank you for your comments. If there's no more comments, then we'll approve this.

I make a motion to approve this application, 19-07, 971 California Road.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

(All aye.)

THE CHAIRMAN: Okay. Three down.

MR. IANNACITO: And I'm done for tonight.

MR. NEMECEK: We gave you some homework though.

MR. IANNACITO: Thanks a lot, guys. Have a nice weekend.

THE CHAIRMAN: You're welcome. Grab your stuff, please.

The next and last application is 19-02, 247 Main Street. This is not a public hearing. This is just a preliminary show it to the Planning Board type thing.

MR. AGOVINO: How are you doing? My name is Angelo Agovino. I'm here to present to you a 15 family building that I would like to

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build on 249 Main Street. I'm proposing nine one bedrooms and six two bedrooms. I'm proposing parking spots inside. We have 14 inside, and I believe we have 12 outside. Yes, 12 outside. We meet our parking requirement for this structure.

I'll kind of walk you through the plan. This is our first floor. You walk into the lobby, have a little meeting room, then you have the stairs going up, elevator. We have a trash room. We have steps here. Handicap. That's about it for the first floor. Then we have obviously our parking spots here. I have three levels of apartments and every floor is mirrored. So I have two two bedroom on each floor and three one bedrooms on each floor.

This is the front of the structure. Some of the apartments have balconies, some have Juliette balconies. I believe some you could actually step out on. Yes. So the front two you could actually step out on. The other ones are just going to be Juliette balconies.

I'm proposing brick, stucco, and Hardie. This is going to be, I think, some

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kind of like precast stone right here in the middle here to deal with the steel to kind of case it in, make it a nice touch.

This is the back of the building. This is the side elevation. You could see the balconies that I was talking about before. The building is going to be overhanging a bit over here so cars could pass through with parking. This is the survey.

This is just a preliminary drawing. I wanted to get you guys opinion on what we have here in front of you. I didn't send out any mailing to anybody yet. I wanted to get your opinion first to see what you guys thought of everything.

THE CHAIRMAN: We appreciate you coming in front of us and giving us a chance to look at it.

MS. UHLE: Angelo, you didn't go over the cellar plan.

MR. AGOVINO: I'm sorry.

MS. UHLE: You didn't go over the cellar plan.

MR. AGOVINO: In the cellar, I have a

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trash room. We're going to do some type of refrigeration down there so I could keep the trash in the building. I don't have it outside like all these other buildings. I don't want to have --

THE CHAIRMAN: Stuff on the street.

MR. AGOVINO: What I want to do here is I want to do some type of high end, nice -- I don't want it to be just thrown up and have a couple of apartments, so that's why I took the time out. We're going to do a trash room down here. I have a lot of storage down here for the tenants that are in there. I have a gym. We have some light for the gym, a little window well there. That's about it.

MR. PULASKI: The pavers in the your driveway, are they just pavers or they absorb water or is that --

MR. AGOVINO: They're meant to absorb water, but I'm going to let Mike kind of go into that.

MR. PULASKI: You brought it in front of us, we're asking the questions.

MR. STEIN: Good evening. Michael

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Stein, president of Hudson Engineering. We're the engineers for the project.

Again, one of first things we do when we start off with the project, we're doing test holes, deep and percolation test holes to figure out where the ground water and ledge rock are and see what the soils are like. So in the back of the property, we had about 10 feet before we hit ledge rock. That sounds great, but then add into the fact that we're cutting about a 5 feet, so we're left with about 5 feet; however, we have fantastic percolation rates. So we used a different type of system here where it's only about 6 inches high, but because it's a low profile and we have really good percolation rates, we spread the system throughout. We're also in conversations about using pervious pavement for the project so that way we have a collection system that would bring it all the way to the back and away from the foundations.

MR. PULASKI: Angelo, as nice as these pavers are that absorb water, do they work well for winter and for clearing snow or is it --

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1 MR. AGOVINO: I have pavers. I could
2 only speak with experience. I don't live at a
3 building that has pavers, but in my driveway
4 they hold up very well. I, personally, think
5 it's better than blacktop because when blacktop
6 gets damaged, you have to rip it all out. You
7 can't do patches. With pavers, pick it up, put
8 a little stone dust, put it back.

9 MR. PULASKI: I like the pavers. It
10 gives a nice look and it's a nice environmental
11 item.

12 MR. AGOVINO: It's a bigger cost for
13 us.

14 MR. PULASKI: In the east, we can
15 clear snow.

16 MR. AGOVINO: The guys come and plow,
17 you know, thank God I never had any problems.
18 It's a bigger cost for us to put them there. I
19 think it's going to be a great look for the
20 project and to the area.

21 MR. PULASKI: I think it is.

22 MR. AGOVINO: That area right now
23 where the building sits now was used for stone
24 yards, truck yards. I really think that this

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1 project is going to help out the neighborhood
2 and bring some more money into the area.

3 MR. PULASKI: I think it will. When I
4 walked the site, I noticed that from the front
5 you've got a wall so the grade is high. You go
6 around to the back of the property, you're
7 higher than the back of the property. It would
8 seem to me that you're going to want to take
9 that site down to sidewalk level.

10 MR. STEIN: So right around the
11 sidewalk area on the northern side, we're at
12 elevation 92. So you're actually going to the
13 site around here is around 91.5. To the rear
14 of the property is 90. As you come around this
15 side of the property, you come to the curb
16 where it's elevation 88. So the site is being
17 cut down. That's why I say in the back while
18 we did get 120 inches to ledge rock, we're
19 cutting 5 feet in the rear of the property.

20 MR. PULASKI: Have you thought about
21 how you're addressing the roof; are you going
22 to have any occupancy on the roof for people
23 to --

24 MR. AGOVINO: I've been tossing the

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1 idea back and forth because I think the units
2 that I might be using for air conditioning, I
3 want to use these efficiency units that -- I
4 forgot the proper name for them -- it's an air
5 conditioning system that just flips backwards,
6 and they need these units on the roof. Maybe I
7 want to do some type of seating are up there.
8 I think that it would be nice, but it would be
9 small, probably just in the front, and I would
10 have the air conditioning units in the back and
11 maybe do a little bit of a screening up there.

12 MR. PULASKI: Have you thought about
13 any planting up there, pots or whatever?
14 That's a popular thing.

15 MR. AGOVINO: If I do something up
16 there, then I would definitely -- what I want
17 to do here is a high end building, and I would
18 love to do anything that you guys suggest up
19 there or whatever you want.

20 MR. PULASKI: I'm just asking
21 questions. I'm looking at the drawings and
22 there's a certain amount of information.

23 MR. AGOVINO: 100 percent I would love
24 to.

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1 MR. PULASKI: For your delivery
2 vehicles, where are you bringing your delivery
3 vehicles in and how are they going to make sure
4 that we don't get caught underneath the
5 overhang because that overhang is, what, 9 foot
6 3 or whatever clearance?

7 MR. FRED: My name Antonio Freda.
8 The overhang -- basically the circulation for
9 vehicles goes past the overhang. It doesn't
10 necessarily go under the overhang. You do have
11 that portion of the site lowered, and the
12 overhang is approximately 9 foot -- I don't
13 have it in front of me here -- 9 foot 8. We're
14 not using it for vehicle circulation because
15 the overhang stops here and circulation starts
16 beyond that. We have the minimum 10 foot wide
17 circulation area going around, and it doesn't
18 go underneath the overhang.

19 MR. PULASKI: I could see that.

20 MR. FRED: The overhang is basically
21 for backing up. I don't think that you're
22 going to have a vehicle there more than 9 feet
23 or 8 feet high.

24 THE CHAIRMAN: A delivery truck is

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 2 going to pull in; right?
 3 MR. FRED A: Well, they pull in --
 4 THE CHAIRMAN: I don't think they
 5 should pull in, but that's up to you; right?
 6 MR. FRED A: So let's say that someone
 7 was moving into the building, you would
 8 probably have a smaller -- they would have to
 9 use a smaller vehicle to go all the way around
 10 or they just bring it up to a certain point and
 11 back up.
 12 THE CHAIRMAN: Just an observation
 13 Robert had. How you operate it is up to you.
 14 Where does snow go when you plow?
 15 MR. FRED A: So one of the proposals
 16 that we had -- I'm not sure whether that --
 17 MR. AGOVINO: We're either going to
 18 truck the snow, or maybe depending on cost we
 19 were looking at a snow melt system.
 20 THE CHAIRMAN: That's going to cost a
 21 fortune.
 22 MR. AGOVINO: Yes. If it's feasible.
 23 I'm going to get quotes on it. If not, we're
 24 going to be trucking the snow out of here.
 25 MR. PULASKI: I think we'll be looking
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 2 at questions like that, and when you have
 3 deliveries, both the short deliveries like UPS
 4 and the long deliveries like people moving in,
 5 moving out, a truck will have to pull over a
 6 bit and still be able to pass traffic around.
 7 MR. AGOVINO: There is no parking in
 8 front of the building now. There is space. I
 9 would have to get someone to measure it out,
 10 but I could definitely park my car here and
 11 have traffic pass through.
 12 MR. PULASKI: I'm aware of that, yes.
 13 THE CHAIRMAN: So the next step is, I
 14 imagine, to actually bring this as an
 15 application, see if it meets the requirements,
 16 variances.
 17 MS. UHLE: Yes. I think the applicant
 18 was pretty careful about zoning compliance
 19 issues, but I know Mr. King hasn't had a chance
 20 to look it over thoroughly. One thing I wanted
 21 to mention that I'm just looking at right now,
 22 we had met with you quite a few months ago to
 23 discuss this, the perimeter landscaping. I
 24 don't know if you remember that.
 25 So there are a couple of next steps.
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 2 One, I think there just needs to be a little
 3 more staff review with regard to zoning
 4 compliance issues, and then I'll also work with
 5 the applicant with regard to SEQRA issues and
 6 what items they might need to address in a
 7 little bit more detail. That's something we
 8 need to get the Eastchester Fire Department to
 9 review. Look at traffic and parking impacts in
 10 the area, although this is one application that
 11 appears to comply with the parking
 12 requirements, which is a good thing. I'm not
 13 if there are any -- does this require Health
 14 Department approval or are there any other
 15 SEQRA involved agencies as far as you know? I
 16 don't think there are. So you don't need to
 17 declare your intent to be lead agency because
 18 unless there are variances required, then
 19 you're the only involved agency.
 20 MR. AGOVINO: Margaret, me and Toni
 21 were actually looking at your code, and we
 22 could speak about this later, we have less than
 23 14 parking spots outside. So I think the way
 24 your code reads, that there has to be
 25 landscaping all the way around. We did it as
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 2 much as we can. I'm willing to, you know, do
 3 more where I can but --
 4 MS. UHLE: Okay. So we just need to
 5 evaluate that. I think the next steps are
 6 basically to have town staff work with the
 7 applicant with regard to what additional
 8 materials they may need to get to you the next
 9 time they come. In sounds like so far your
 10 comments have been fairly positive.
 11 MR. NEMECEK: We had an application,
 12 same thing, it was a preliminary review about
 13 three years ago I would say --
 14 MR. AGOVINO: So what they were -- I
 15 scaled down a whole lot. With this property
 16 what I can build here -- I mean, I think I
 17 can -- build commercial space below and do
 18 residential space above it. I saw the plans of
 19 that. The building went this way. It had
 20 parking underneath the building.
 21 MR. NEMECEK: The parking just
 22 looked --
 23 MR. AGOVINO: Yes. When we took a
 24 look at this project, we wanted to scale down.
 25 There's a terrible amount of commercial space
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there. This property definitely doesn't need any commercial space. I feel that that commercial space was really hindering this project with parking. You require for every 150 square feet I think it is, you need two parking spots. I think there was like 25 spot for commercial.

THE CHAIRMAN: Did the other application have that many spots really?

MR. AGOVINO: Yes, if you did what they wanted to do. They wanted to basically make a parking garage on the whole property, and then go underneath and drive a car in and out and park cars underneath and on top.

MR. NEMECEK: I just remember it was like a steep grade down into the garage, and it just looked like an accident waiting to happen trying to get back up to Main Street.

THE CHAIRMAN: So the one aspect we would like you to address or I would like you is, this is a big mass we're putting on the street there, Main Street, that isn't there, it's a 43 foot tall building on a street that doesn't have anything that big, so I would like

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to know how this compares to the adjacent buildings. So if you could show us somehow the street-scape.

MR. AGOVINO: Did you guys get the pictures I took for you guys? So those are all surrounding properties. There's one house to the left of it, one or two, I'm not a hundred percent sure, but majority of the area over there are buildings.

THE CHAIRMAN: So could the architect show something to us, an elevation showing this building, buildings around so we could understand?

MS. UHLE: It's kind of a visual analysis.

THE CHAIRMAN: Not right now. When you come back. Just so we understand it.

Any other comments, guys?

MR. PULASKI: No.

MR. AGOVINO: Thank you. I appreciate it. I just wanted to come and get your opinion. When we come back, we'll have something a lot more detailed. Thank you.

THE CHAIRMAN: Thank you. Have a nice

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evening.

Do you want to approve any minutes, Margaret?

MS. UHLE: Sure. You have the February 28th minutes, and that's everybody but Phil.

THE CHAIRMAN: Phil, even though you weren't here, you commented? How did you get the ones that we didn't get?

MS. UHLE: Because they were already posted.

THE CHAIRMAN: So then I make a motion to approve the minutes of the meeting of February 28th, 2019.

MR. PULASKI: Second.

THE CHAIRMAN: All in favor.

MR. PULASKI: Aye.

THE CHAIRMAN: Aye.

MR. WEST: Aye.

THE CHAIRMAN: Then I make a motion to close the Town of Eastchester meeting of April 25th, 2019.

MR. NEMECEK: Second.

THE COURT: All in favor.

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(All aye.)

(Meeting adjourned.)

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1
2
3 CERTIFICATION
4

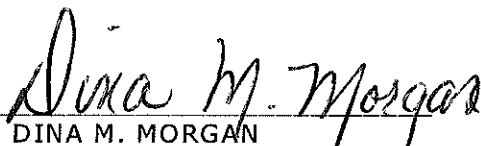
5 STATE OF NEW YORK)
6) Ss.
7 COUNTY OF WESTCHESTER)

8 I, DINA M. MORGAN, Court Reporter and
9 Notary Public within and for the County of
10 Westchester, State of New York, do hereby
11 certify:

12 That the above transcript was taken from
13 a videotape of the actual hearing. I was not
14 present for such hearing. The videotape was
15 taken and transcribed by me to the best of my
16 ability.

17 And, I further certify that I am not
18 related to any of the parties to this action by
19 blood or marriage, and that I am in no way
20 interested in the outcome of this matter.

21 IN WITNESS WHEREOF, I have hereunto set
22 my hand this 31st day of May, 2019.

23
24 
25 DINA M. MORGAN
Court Reporter
DINA M. MORGAN, REPORTER

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